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## REPORT

OF THE

SELECT COMMITTEE

ON

# IMPORTED CONTRACT LABOUR.

---

*Printed by Order of the House of Assembly,*  
AUGUST, 1908.

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CAPE TOWN  
CAPTAIN TIMES LIMITED, GOVERNMENT PRINTERS.  
1908.





CAPE OF GOOD HOPE.

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*Printed by Order of the House of Assembly.*

AUGUST, 1908.

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CAPE TOWN  
CAPE TIMES LIMITED, GOVERNMENT PRINTERS.  
1908.

ORDERS OF THE HOUSE.

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*9th July, 1908.*

ORDERED :—That a Select Committee be appointed to inquire into and report upon the question of Imported Contract Labour and the advisability of inserting a Fair Wage Clause in Government contracts involving the employment of workmen, the Committee to have power to take evidence and call for Papers.

ORDERED :—That Messrs. Alexander, Fremantle, Greer, Dr. Hewat, Messrs. Pohl, Powell, J. Searle, C. Searle and Cronwright Schreiner be members of the Committee.

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*10th July, 1908.*

ORDERED :—That Messrs. Theron and Long be members of the Committee.

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## REPORT

## OF THE

SELECT COMMITTEE, appointed by Orders of the House of Assembly, dated the 9th and 10th July. 1908, to inquire into and report upon the question of Imported Contract Labour and the advisability of inserting a Fair Wage Clause in Government Contracts involving the employment of workmen : the Committee to have power to take evidence and call for papers, and to consist of Messrs. ALEXANDER, FREMANTLE, GREER, DR. HEWAT, Messrs. POHL, POWELL, J. SEARLE. C. SEARLE, CRONWRIGHT SCHREINER, THERON and LONG.

Your Committee having examined witnesses, both employers and employés, beg to report as follows :—

1. That imported contract (skilled) labour should be prohibited when such labour is available in the Colony. It has been admitted generally that there may be a difficulty in deciding what is competent labour, and when such labour is available. It has been suggested that the Government Labour Bureau might be entrusted with the duty of deciding on these points, and several witnesses have expressed their willingness to accept that body as judge. But your Committee see some danger in making any such a body the judge, and would prefer that the decision should rest with some body upon which both employers and employés might be represented, such as a Wages Board. The witnesses appear to be almost unanimous in the opinion that such prohibition would be advantageous both to honourable employers and honest employés. At present there seems to be an abundant supply of

labour of all kinds available, in consequence of the depression. The only trade which, so far as the evidence before the Committee shows, seems incapable of producing the highest type of work in the Colony is the printing trade, but this appears to be due in part to so much printing being sent to be done in Europe. It is the general opinion that this industry might easily be fostered to render it capable of producing any kind of work desired, a *sine qua non* being that all Government and public bodies' printing should be done in the Colony.

Your Committee has had evidence to show that importations of skilled labour at a lower wage than that usually paid in this country have taken place, and they regard this as inflicting hardship upon the people in the country, and often upon those imported.

2. The advisability of inserting a Fair or Standard Wage Clause in Government contracts has not been seriously contested by any witness. The evidence will show how easily such a standard wage is ascertained (varying with local conditions in different centres) and that it is already widely in vogue governmentally, not only in England, but also in the Transvaal. It is in practically universal vogue unofficially in this Colony, in all the big centres, employers and employes having arranged the matter with mutual satisfaction and profit; and though even under this system disputes might arise it is agreed that it tends to the benefit of the client for whom the work is done, to the honest employer and to the employé; raising the standard of work and the efficiency of the workmen. It seems certain that a standard wage clause will injure no one except the unscrupulous employer and the sweater. It cannot affect the farmer.

3. There is a very strong and practically unanimous feeling that the Colony should make itself self-dependent, and that all Colonial industries should be fostered and opportunity afforded for

Colonial youths to become efficient tradesmen ; the feeling being that not only Colonial products, but trades and manufactures also, should be discretely fostered and encouraged.

4. Your Committee regret that, owing to the necessity of curtailing expenditure, it has not been possible to get witnesses whose operations are confined exclusively to the country districts, so that the evidence obtained has been from those whose operations are mainly confined to large centres of population.

S. C. CRONWRIGHT SCHREINER,  
Chairman.

Committee Rooms,  
House of Assembly,  
13th August, 1908.

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## MINORITY REPORT.

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We, the undersigned, agree with the Report to be handed in by the majority of your Committee in regard to Clauses Three and Four.

As regards Imported Contract Labour, we have evidence to the effect that employers will not run the risk of importing labour under contract if they can obtain suitable men in this country.

We are of opinion that the employer is the only person able to judge as to whether the available labour is such as to suit his requirements. In this country where we wish to develop our industries we fear that to prohibit the importation of skilled labour when required would tend to restrict the establishment of such industries.

As to the embodying of a fair wage clause in all Government contracts, the evidence does not show that at present there is unfair competition by any Government contractors paying too low a wage to their employes. Owing to varying conditions prevailing in different parts of the country, and even in the same district, in many cases it is not possible to fairly define what a fair wage is. We, therefore, recommend that it be left to the employers and employes to mutually arrange the rate of wages to be paid.

We recommend, however, that preference be given by the Government to contractors who use South African labour and material in carrying out their contract.

C. SEARLE.  
THOS. P. THERON.

Committee Rooms,  
House of Assembly.  
13th August, 1908.



## RAPPORT

## VAN HET

GEKOZEN COMITÉ, aangesteld door Resoluties van de Wetgevende Vergadering, gedateerd 9 en 10 Juli 1908, om onderzoek in te stellen naar, en te rapporteeren omtrent, de kwestie van Ingevoerde Contract Arbeid en de wenschelijkheid van de invoeging van een Billijke Loon Clause in Gouvernements Contracten waar werklui geëmployeerd worden; het Comité macht te hebben getuigenis in te winnen en om papieren te vragen, en te bestaan uit de heeren ALEXANDER, FREMANTLE, GREER, Dr. HEWAT, de heeren POHL, POWELL, J. SEARLE, C. SEARLE, CRONWRIGHT SCHREINER, THERON en LONG.

Uw Comité heeft getuigen ondervraagd, zoowel werkbazen als geëmployeerden, en wenscht als volgt te rapporteeren :

1. Dat ingevoerde contract (bedreven) arbeid verboden behoort te worden wanneer zoodanige arbeid beschikbaar is in de Kolonie. Het werd algemeen erkend dat het moeilijk moge zijn om te beslissen wat bevoegd arbeid is en wanneer zoodanige arbeid beschikbaar is. Het werd aan de hand gegeven dat de beslissing van deze punten toevertrouwd mag worden aan het Gouvernements Arbeids Bureau, en verscheidene getuigen hebben hunne gewilligheid te kennen gegeven om dat lichaam als rechter te erkennen. Maar uw Comité ziet er gevaar in om eenig zoodanig lichaam tot rechter te maken en zou verkiezen dat de beslissing berusten zou bij een of ander lichaam, waarop zoowel werkbazen als geëmployeerden vertegenwoordigd konden zijn, zooals een Loon Raad. De getuigen schijnen bijna unaniem te zijn in hun gevoelen dat zoodanig verbod voordeelig zou

zijn, zoowel voor eerbare werkbazen als voor eerlijke geëmployeerden. Thans schijnt er, als gevolg van de depressie, een overvloedig voorraad arbeid van alle soorten beschikbaar te zijn. Het eenige ambacht, dat volgens de getuigenis voor het Comité, niet in staat is de hoogste klas werk in de Kolonie te leveren is het drukkers ambacht, maar dit schijnt gedeeltelijk daaraan te wijten dat zooveel drukwerk naar Europa gezonden wordt om aldaar gedaan te worden. Het is de algemeene opinie dat deze industrie gemakkelijk aangemoedigd kan worden om dezelve in staat te stellen om eenig soort drukwerk te leveren, een *sine qua non* zijnde dat het drukwerk van het Gouvernement en van alle publieke lichamen in de Kolonie gedaan moet worden.

Uw Comité heeft getuigenis gehad aantoonende dat de invoer van bedreven arbeid, tegen een lager loon dan gewoonlijk in dit land betaald wordt, meermalen plaats gevonden heeft, en zij beschouwt dit onbillijk tegenover het volk van dit land, zoowel als tegenover hen die ingevoerd worden.

2. De wenschelijkheid van een Billijk of Standaard Loon Clause in Gouvernements Contracten in te voegen werd door geen getuige met ernst betwist. De getuigenis zal aantoonen hoe gemakkelijk zoodanig standaard loon vastgesteld wordt (verschillende naar plaatselijke omstandigheden in verschillende centums) en dat het reeds zeer in zwang is in Gouvernements departementen, niet alleen in Engeland maar ook in de Transvaal. Het is zoo goed als in algemeen gebruik op niet-officieële wijze in al de groote steden in deze Kolonie, werkbazen en geëmployeerden hebbende de zaak geschikt tot onderlinge tevredenheid en voordeel; en hoewel zelfs onder dit stelsel verschillen ontstaan mogen, erkent men dat het tot voordeel strekt van de klant voor wie het werk gedaan wordt, en tot voordeel van de eerlijke werkbaas en de geëmployeerde, daar het zoowel het gehalte van het werk als de bekwaamheid van de werklui verhoogt. Het schijnt zeker te



zijn dat een standaard loon clause niemand zal benadeelen, behalve de gewetenlooze werkbaas en de zweeter. Het kan de boer niet raken.

3. Er bestaat een sterk en bijkans unaniem gevoel dat de Kolonie zichzelf zelfstandig behoort te maken, en dat alle Koloniale industrieën aangemoedigd moeten worden en de gelegenheid aan Koloniale jongelingen gegeven moet worden om degelijke ambachtslui te worden: m.a.w., men wil dat niet alleen Koloniale produkten, maar ook ambachten en fabrieken, op verstandige wijze aangemoedigd moeten worden.

4. Het spijt uw Comité, dat wegens de noodzakelijkheid om onkosten te besnoeien, het niet mogelijk geweest is om getuigen op te roepen wier werkzaamheden zich uitsluitend bepalen bij de buiten distrikten zoodat de getuigenis slechts van degenen verkregen is wier werkzaamheden hoofdzakelijk beperkt zijn binnen groote centrum van bevolking.

S. C. CRONWRIGHT SCHREINER,

Voorzitter.

Comité Kamer.

Wetgevende Vergadering,  
13 Augustus 1908.

## MINDERHEIDS RAPPORT.

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Wij, de ondergeteekenden, vereenigen ons met het Rapport te worden ingediend door de meerderheid van uw Comité wat betreft Clausulen Drie en Vier. Wat betreft Ingevoerde Contract Arbeid hebben wij getuigenis ten effekte dat werkbazen zich niet aan het gevaar zullen bloot stellen van arbeid in te voeren onder contract indien zij geschikte werklui in dit land kunnen krijgen. Wij zijn van gevoelen dat de werkbaas de eenige persoon is die zeggen kan of de beschikbare arbeid geschikt is voor zijne behoeften of niet. In dit land waar wij begeerig zijn onze industrieën te ontwikkelen vreezen wij dat het verbieden van de invoer van bedreven arbeid, wanneer zulks noodig is, strekken zal om de oprichting van zoodanige industrieën te beperken.

Wat betreft het inlijven van een billijke loon clause in alle Gouvernements Contracten,—de getuigenis toont niet dat er thans onbillijke competitie bestaat door dat eenige Gouvernements contracteurs een te lage loon aan hunne geëmployeerden betalen. Wegens de verschillende condities die heerschen in verschillende deelen van het land en zelfs in hetzelfde distrikt is het in vele gevallen niet mogelijk om te zeggen wat een billijk loon is. Wij bevelen dus aan dat het gelaten zal worden aan de werkbazen en de geëmployeerden om onderling overeen te komen wat het loon zal zijn dat betaald zal worden.

Wij bevelen echter aan dat het Gouvernement de voorkeur zal geven aan contracteurs die Zuid Afrikaansche arbeid en materiaal gebruiken in het uitvoeren van hunne contract.

C. SEARLE.

THOS. P. THERON.

Comité Kamer,

Wetgevende Vergadering,

13 Augustus, 1908.

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## PROCEEDINGS OF COMMITTEE.

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PROCEEDINGS OF THE SELECT COMMITTEE appointed by Orders of the House of Assembly, dated the 9th and 10th July, 1908, to inquire into and report upon the question of Imported Contract Labour and the advisability of inserting a Fair Wage Clause in Government contracts involving the employment of workmen ; the Committee to have power to take evidence and call for papers, and to consist of Messrs. ALEXANDER, FREMANTLE, GREER, Dr. HEWAT, POHL, POWELL, J. SEARLE, C. SEARLE, CRONWRIGHT SCHREINER, THERON and LONG.

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*Thursday, 16th July, 1908.*

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## PRESENT :

Mr. Alexander.	Mr. J. Searle.
Mr. Greer.	Mr. C. Searle.
Mr. Pohl.	Mr. Cronwright Schreiner.
Mr. Powell.	Mr. Long.

Clerk read Orders of the House, dated the 9th and 10th July, 1908, appointing the Committee.

Resolved : That Mr. Cronwright Schreiner be Chairman.

The Committee deliberated, and adjourned until Monday, at 10.30 a.m.

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*Monday, 20th July, 1908.*

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## PRESENT :

Mr. CRONWRIGHT SCHREINER (Chairman).

Mr. Alexander.	Mr. J. Searle.
Mr. Greer.	Mr. C. Searle.
Mr. Pohl.	Mr. Long.
Dr. Hewat.	Mr. Theron.

Messrs. Joseph Albert Hall, General Manager, Cape Times Ltd., and Thomas Maginess, Chairman of the Cape Town Trades and Labour Council, were examined.

The Committee deliberated, and adjourned until Thursday, at 10.30 a.m.

*Thursday, 23rd July, 1908.*

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PRESENT :

Mr. CRONWRIGHT SCHREINER (Chairman).

Mr. Alexander.	Mr. Powell.
Mr. Greer.	Mr. J. Searle.
Mr. Fremantle.	Mr. C. Searle.
Dr. Hewat.	Mr. Theron.
Mr. Pohl.	Mr. Long.

Mr. Thomas Maginess, Chairman of the Cape Town Trades and Labour Council, was further examined.

Mr. George Herbert Parkhouse, Cape Town Trades and Labour Council, was examined.

The Committee deliberated, and adjourned until Monday, at 10.30 a.m.

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*Monday, 27th July, 1908.*

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PRESENT :

Mr. CRONWRIGHT SCHREINER (Chairman).

Mr. Alexander.	Mr. J. Searle.
Mr. Fremantle.	Mr. C. Searle.
Mr. Greer.	Mr. Theron.
Mr. Powell.	Mr. Long.

Mr. John Zeal Drake, Building Contractor, Cape Town, was examined.

Mr. John Harlow, Stone Cutter, Cape Town, was examined, and put in a statement from the Secretary of the South African Operative Masons' Society, on the number of masons who have left South Africa since 1902. [Appendix A.]

The Committee deliberated, and adjourned until Thursday, at 10.30 a.m.

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*Thursday, 30th July, 1908.*

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Mr. CRONWRIGHT SCHREINER (Chairman).

Mr. Alexander.	Mr. J. Searle.
Mr. Greer.	Mr. C. Searle.
Mr. Pohl.	Mr. Theron.
Mr. Powell.	Mr. Long.

In the absence of the Chairman.

Resolved : That Mr. Powell take the Chair.

Mr. Godfrey Mitchell, General Manager, "Argus" Ltd., was examined.

During the examination of the witness the Chairman entered the room, and Mr. Powell vacated the Chair.

Mr. Andrew Bernard Reid, Building Contractor, Cape Town, was examined.

Mr. Alexander laid upon the Table Memorandum of evidence given by him before the "Fair Wage Clause Committee," of the Municipal Council of Cape Town, in 1906.

The Committee deliberated, and adjourned until Monday, at 10.30 a.m.

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*Monday, 3rd July, 1908.*

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PRESENT :

Mr. CRONWRIGHT SCHREINER (Chairman).

Mr. Alexander.

Mr. J. Searle.

Mr. Pohl.

Mr. C. Searle.

Mr. Powell.

Mr. Theron.

Mr. Jacobus Cuyppers, of Messrs. Juta & Co., Cape Town, and Mr. ———, working tailor, Cape Town, were examined.

The Chairman laid upon the Table a letter, dated the 31st ultimo, from the Master Builders' Association, forwarding copies of Conciliation Board Rules and Agreement with Employees. [Appendix B.]

The Committee deliberated, and adjourned until Monday, at 10.30 a.m.

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*Monday, 10th August, 1908.*

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PRESENT :

Mr. CRONWRIGHT SCHREINER (Chairman).

Mr. Powell.

Mr. Theron.

Mr. J. Searle.

Mr. Long.

Mr. C. Searle.

The Chairman submitted a Draft Report.

The Committee deliberated, and adjourned until Thursday, at 10.30 a.m.

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*Thursday, 13th August, 1908.*

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PRESENT :

Mr. CRONWRIGHT SCHREINER (Chairman).

Mr. Alexander.

Mr. C. Searle.

Dr. Hewat.

Mr. Theron.

Mr. Powell.

Mr. Long.

Mr. J. Searle.

The Committee resumed consideration of the Draft Report.

The Chairman moved : That the Report be adopted.  
Upon which the Committee divided :

Ayes, 6.  
Chairman.  
Mr. Alexander.  
Dr. Hewat.  
Mr. Powell.  
Mr. J. Searle.  
Mr. Long.

Noes, 2.  
Mr. C. Searle.  
Mr. Theron.

Motion accordingly agreed to.

Resolved : That the Chairman report accordingly.

Mr. C. Searle and Mr. Theron intimated their intention to  
submit a Minority Report.



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## MINUTES OF EVIDENCE.

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### SELECT COMMITTEE ON IMPORTED CONTRACT LABOUR.

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*Monday, 20th July, 1908.*

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PRESENT :

Mr. CRONWRIGHT SCHREINER (Chairman).

Mr. Alexander,	Dr. Hewat.
Mr. Greer,	Mr. C. Searle,
Mr. Pohl,	Mr. Long,
Mr. J. Searle,	Mr. Theron.

*Mr. Joseph Albert Hall, examined.*

1. *Chairman.*] You are the General Manager of the Cape Times Limited?—Yes. Mr.  
J. A. Hall.
2. *Dr. Hewat.*] What firm?—The Cape Times Limited. July 20, 1908.
3. *Chairman.*] You know the object of the committee?—Yes, I know its title, nothing more at present.
4. How many men does the Cape Times employ?—You are speaking now, of course, of workmen.
5. Yes, workmen?—I should think 250 to 300 men; of course I cannot say exactly.
6. About 250 to 300 workmen?—Yes, it varies from time to time.
7. The object of this Committee is two-fold, first to inquire into the question of the advisability or otherwise of Imported Contract Labour, and secondly the advisability of inserting a fair wage clause in Government contracts. Now, with regard to the first the imported contract labour, you know the problem that underlies this inquiry?—Well, it would perhaps be better to state it.

Mr.  
J. A. Hall.  
—  
July 20, 1908.

8. As I understand it there is a certain price which is regarded by the workmen as a subsistence wage, and, in opposition to that, people who take contracts on here import labour from other countries at less than that, and that means undercutting the workmen here, and they even pay a price less than a subsistence wage to the people imported?—My reply to that is that we only import labour where we cannot get labour locally, and that all our importation is of highly skilled labour.

9. You don't import if you can get the labour locally?—No.

10. You think that a sound principle?—Distinctly so: all our imported labour is highly skilled labour and we import it at wages which are taken as a fair wage here by our particular trade union.

11. Would you or would you not be opposed to imported labour at less than that price?—It is impossible to go to London, which is the only real general market for that kind of labour and get men at cheap rates. We don't bring men out who are not equal to their work and we have to pay to compete with others for that class of labour, and to get a man from London you have to offer him some inducement, that is comparatively, we have to pay a comparatively higher wage out here to what the man would get in London.

12. To induce him to come out?—Yes, there is no question of cutting or sweating with us.

13. *Dr. Hewat.*] In regard to imported skilled labour from the other side, what guides you in getting it? do you get it at the cheapest price you can or go upon what it is here?—We engage it at what is known here as the standard wage.

14. But at the present moment there is no fixed rate?—That is quite a mistaken idea. The standard rate has held here for some years, three years at least.

15. Is it not a fact that Cape Town firms have imported labour from the other side to lower prices?—No.

16. Did they not do so at one time?—No, I do not know of any cases.



17. Did they not do so at one time?—No.

18. How long have you been here?—Two years and a half. It would have been almost impossible to do it. The trade in London is in fairly close touch with the trade out here. I am speaking now of the trade union. It might be done, but there would be extreme difficulty in doing it.

19. How long have you been in Cape Town?—Two-and-a-half years.

20. Is it not to your knowledge that before that it was done?—No.

21. Then the agitation that took place some three or four years back, when it was stated that Cape Town firms were importing labour at under standard wage, was a mistaken agitation?—Yes. I think you may take it that it was so. I believe we had trouble with our people some time back over their requiring a higher rate, and I think, under certain conditions, some portions of their demands were conceded.

22. And at that time did you not import labour?—We have always been importing labour; our labour is highly skilled, and we don't, unhappily, raise that class of labour in the Cape Colony to any extent. We are trying to do it, we are trying to raise that class of labour, but so far we have been unable to do so to any extent, although we are having better success lately.

23. With regard to contract labour, you say skilled labour, such as you require, cannot be obtained in the Colony, but do you try here before trying to get it from abroad, do you try here first?—No, we cannot get it here. We have to get the labour in under contract, and we have to pay the men their passage either in wages or a specified payment, and in some cases a man comes out who does not prove to be up to the requirements.

24. What becomes with the men after their contract is over?—Unhappily, many of them go back, some of them come over just for the purpose of a change, and for getting experience. Some stay,

Mr.  
J. A. Hall.  
—  
July 20, 1903.

Mr.  
J. A. Hall.  
—  
July 29, 1908.

and they are valuable, but in the majority of cases they go home, although we have men with us who came out originally on contract, and have been with us for a number of years.

25. *Mr. C. Searle.*] Do you think it necessary to legislate against imported contract labour?—If you do it you will make it more difficult for us. By all means try to raise this kind of labour out here, but to legislate to prohibit labour being imported will be disastrous. we have sufficient difficulty at present to get the labour we require.

26. *Mr. Long*]. What are the terms of the contract that you bring your men from England under?—It is the ordinary contract of service and contains no very onerous conditions.

27. But do you bind them to serve for a certain period?—Usually for twelve months.

28. And if they pay back their passage money can they get off the agreement?—Not unless there is something in the contract broken. We have found men not up to the conditions entered into on the other side, but apart from incapacity, the contract is never interfered with.

29. Let us be clear: you have the right to dismiss them for incapacity but they have not the right to break their contract even if they pay back the passage money?—No, they would if we broke any of the conditions of the contract.

30. Yes?—On the other hand we have to prove incapacity.

31. You say you find it difficult to get skilled labour of your kind in the Colony?—Speaking generally that is the case, and we find it difficult to get them at home for reasons already given.

32. Is the scarcity out here because there are so few boys in the apprentice stage?—Yes. we have tried to foster the apprentice system, but have not done much good. We are trying to extend it, but not with much success. We are having somewhat greater success lately, and I have told my Board it is my object to do without importations as far as possible.

33. There are very few boys becoming apprentices?—Yes, very few, but there are more now than there were in the past.

Mr.  
J. A. Hall.  
—  
July 20, 1908.

34. What is the reason for the reluctance to become apprentices?—They prefer to go in for a quasi-professional life, clerks or so on.

35. Now, with regard to skilled labour, is there much native skilled labour?—No, there is very little native skilled labour. I would like to get more.

36. You cannot get the skilled native labour you would like?—We get some, and much of what we get is very decent indeed, but we have not gone the length of some people. Some printers in town, I believe, have gone to the length of employing women compositors. We have not gone that length yet.

37. You don't employ women?—We don't employ women compositors. For certain portions of our work we must employ cheap labour and it seems to me we can only get that from the coloured and semi-coloured people here.

38. Do you find the same reluctance on the part of the coloured boys to learn the printing trade?—Well, I have not up to the present encouraged that.

39. So that when you talk of encouragement you mean white boys?—Preferably.

40. So up to the present it has been white labour?—For the greater part.

41. *Mr. Alexander.*] Has the Cape Times ever advertised for apprentices?—It may have been so, it is a matter I leave to the Superintendent.

42. Can you give the Committee any idea what encouragement or assistance you have given?—Well, it is generally known that we do take apprentices and from time to time we have applications.

43. But how do you encourage, *how* do you let people know that you take apprentices?—Well, if you were in the trade you would know about it.

44. Well, I know nothing about it, and am trying to find out from you?—We cannot tell how

Mr.  
J. A. Hall.

July 20, 1908.

these things get abroad, but it is known that we do now and again take apprentices.

45. Have you a notice in the works that you take apprentices?—No, it is known to all the men, but I am afraid the men are not particularly keen on making it known that we take apprentices. I don't think that we have any special assistance from the men in that direction.

46. Have you any of the contract forms, for imported labour, with you?—No.

46a. Would you have any objection to letting the Committee have one?—Not at all.

47. *Chairman.*] You will hand it in?—Yes.

48. *Mr. Alexander.*] Is there any clause that the money for the passage has to be paid back?—That is a matter of arrangement.

49. But in some of them it does?—In some of them.

50. Do you ever place before the people abroad anything about the difference in the cost of living?—That is well known.

51. But do you put it before the working men in England or do you rely upon him knowing all about it himself?—If a man made an inquiry we could put it all before him, but such a number of men have worked here and gone back to England again that the conditions of living are very well known.

52. But is it not the case that men are often surprised on coming out here to find the cost of living so high?—I don't think so, but I must confine myself to what I know as General Manager of the Cape Times. If any questions are asked at home, they are replied to fully, but, apart from that, all men applying for appointments out here do so with a full cognizance of the conditions out here. The Printers' Trade Society knows all the conditions, and we see to it that the wage we pay here is sufficient to cover the increased cost of living out here, and such as will leave him even better off than at home.



53. How many men engaged in this way have you imported since you have been with the Cape Times?—Probably twenty.

Mr.  
J. A. Hall.  
—  
July 20, 1908

54. Is that all?—Yes, our men stay with us.

55. About twenty, you say, have come out since you have been with the Cape Times?—Yes.

56. *Mr. J. Searle.*] You talk of apprentices. What is the ordinary time of apprenticeship in the composing room?—Subject to satisfying myself that I have not made a mistake I should say five years; I think it is five years.

57. That is at home?—Well, it varies: it is sometimes five years, sometimes seven years.

58. It is never less than five years?—No.

59. There are difficulties in getting boys to take to it?—Yes.

60. Is that why the boys do not go into it?—No; I think the reply I have given covers it.

61. What are the wages of compositors out here?—The London rate varies, and runs from 35s. to 37s. 6d. a week—that is an ordinary compositor—and out here he receives 66s. to 70s., nearly double, you see.

62. Now, do you find men mostly belong to the Trades Union that come out?—Well, you may say 50 per cent. at least do.

63. And do they have any objection to the coloured apprentice coming under them?—Well, I have no personal knowledge, and so I cannot speak with certainty, but I imagine the tendency would be against the coloured person as an apprentice.

64. That probably acts as a bar against Cape boys picking up the trade?—Yes, probably, but I personally would not encourage that myself. I was speaking now of compositors when I gave you those wages, there are other branches of the trade, for instance, machinists, the wages are rather higher; we pay 70s. to 100s. per week.

65. *Mr. Pohl.*] From the time of the establishment of the Cape Times, have you always been accustomed to import labour?—Of course, that is so.

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66. And really no inducements have been offered to these men out here to take to the printing trade. What steps have you taken to induce local men to take to the printing trade?—At any time in the last 20 years the Cape Times has done so, and has done more lately, indeed, has always done something, if only a little.

67. Can you tell us what that little is?—No; but the fact that there are coloured men about Cape Town who certainly learned their trade here, and know their trade well, shows that something has been done to encourage them.

68. You have not advertised?—No, as far as I am concerned I cannot say we have. I leave this to the Superintendent.

69. You don't know of your own knowledge?—No, but I think it very likely.

70. And you say the reason people do not go in for the trade is that they go in for quasi-professions?—Yes.

71. Do you really think so?—Yes, two years ago a boy could get into an office without any clerical knowledge at a salary of £1 a week—it was not wise to pay a boy this salary—we could not afford to pay him that to go into our works as an apprentice, and if a boy could get a pound a week as a clerk in an office he would go there and not go as an apprentice in the works.

72. Supposing advertisements were placed in the paper do you think it would have any effect if calling for native boys to take to the trade?—I have no doubt it would have.

73. (*Chairman.*) Would you be in favour of prohibiting, would you think it a wise policy to prohibit the introduction of imported labour under the standard wage. I take it, by a standard wage is meant that employer and employees have agreed upon a subsistence wage. Men imported under that would be under the subsistence wage. Would you be in favour of importing labour under the standard wage?—I think there should be no prohibition. I take it by a subsistence wage you mean a wage agreed between master and man.

74. Yes. You think it would be inadvisable to import under that?—Yes, because the tendency is for the generality of men coming out here to deteriorate instead of improving. Some of course do improve, but in many instances the reverse is the case. In fact, I believe, about eighteen months ago a man, who had come out on contract for another house, had to be literally thrown out owing to this and indifferent conduct.

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75. You would regard as importing under the standard wage, importing under the standard price agreed between employer and employees?—Yes.

76. *Mr. J. Searle.*] From your experience, is there any call for legislation on that point?—I don't think so, and consider it would be unwise.

77. I understand, Mr. Hall, that you, speaking generally, consider it would be unwise to allow labour to be imported under the standard wage?—No, I said it would be unwise to prohibit the importation of skilled labour at all.

78. Skilled labour, would you call a compositor skilled labour?—Yes, highly skilled labour too.

79. I put it again, if you as an employer and a representative of those employed agreed upon a certain wage as a fair wage, and another firm is importing the same type of labour as you employ at a lower price than you have agreed upon, would you take that as fair to the person imported and the man engaged here? Would it be fair?—I don't see it would be possible, but the tendency would be to lower the wage.

80. But take it that it could be possible, would you think it fair?—No certainly not.

81. *Chairman.*] Have you refused any apprentices that applied?—No, not to my knowledge.

82. Is there a difference in the wage paid to the coloured apprentices and the white?—No.

83. You don't differentiate in colour at all so that the objection of the white employer to the coloured employee is merely a question of colour?

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—We must confine ourselves to the compositors and machine men, there are other branches in which differences are made.

84. As regard colour?—No, it is more a matter of skill.

85. You don't differentiate as regards colour?—No.

86. Now the fair wage clause—we are confining it strictly to Government contracts. It falls out of the previous question I have put to you that when the employers and employees have agreed upon a fair wage, do you think that a fair wage should be the basis of a Government contract, varied of course from time to time?—You certainly could not increase the wage during such a contract.

87. No, but Government wage that would be put in the contract?—Yes.

88. That would steady the labour supply?—Yes, it would probably have that tendency.

89. *Dr. Hewat.* And regarding a call for tenders for certain work—I am not referring now specially to the printing work, but all trades the Government want work done by, don't you think it only fair the Government should fix the wages?—It puts employer and employee on the same basis.

90. Do you know of firms in this Colony that have tendered at very low prices for Government work, and to get that work done have imported labour from the other side at lower prices than was being paid in the Colony?—No. I don't. I don't think the thing possible.

91. Such a thing could be done?—It would be extremely difficult.

92. Take a branch in England. Say we take a lithographer or a compositor. What is the difference in the wages here?—I have already given an answer to that. We pay nearly double out here to the home price.

93. So that by importing one of these employees from the other side you could get a tremendous difference?—How do you mean?



94. By importing men at the wages paid on the other side?—But you could not do it; it would be a tremendous difference if you could do it.

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95. But if you got them at the same price as on the other side?—Yes, but I give it as my opinion that such an importation is quite impossible. Where are you going to find a man to go 7,000 miles to get no more than at home, taking his wife and children away with him and going to a place where he would not have one chance to a dozen, that he would have at home, for employment.

96. *Mr. J. Searle*]. Did I understand you to say that when entering into a printing contract with Government there should be a scale of wages attached to the contract about the rates to be paid?—I do not think that, but I think that the ruling rates should be the basis of the contract.

97. But how would you define the ruling rates?—Well, I suppose the ruling rate in the trade would be that recognized by the Union.

98. But in many trades there is no Union?—Well in that case it would be the rates paid in the majority of cases in the trade.

100. In your particular business would it be a reasonable thing to state in your contract what wages you would be paying in the various parts of the trade?—I don't think so, because while wages might go down other things might go up, so I don't think it reasonable especially in a country like this when you have to import practically all your materials. Probably any slight decrease in wages would be offset by an extra charge for materials here or on the other side. Wages should therefore be left open for the contractor to arrange. Materials vary very much from time to time, and at a distance of 7,000 miles it is a very easy thing for the Government contractor to be left high and dry in the price of materials.

101. I should like to ask do you think it right there should be a clause in the contract fixing the

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rate of wages you should pay while executing that contract?—I don't think so.

102. You do not think the wages paid now call for interference and legislation?—Well, I don't think that wages generally are a matter for which there should be any legislation.

103. *Mr. Long.*] As far as your trade is concerned, you don't think there is any real danger of an employer undercutting another employer by importing cheaper labour?—There is always the danger if he could, because some would do it willingly.

104. But there is no practical danger?—No, you have men out here imported at one time or another under contract and are now stranded, and their necessitous condition may be taken advantage of; but those are the only exceptions.

105. That danger would not be met by prohibition of imported labour?—No.

106. How do you arrive at the wages that you pay your employes? Has the printing trade a recognized organization?—Yes; they have a Union, and some measure of organization.

107. Have the employers got any organization?—No.

108. So each employer deals with his employes on his own account?—Practically.

109. *Mr. Alexander.*] There is nothing to prevent the employers organizing?—Nothing at all.

110. Will you look at this agreement signed on behalf of the Master Builders' Association and the workmen? Is that the kind of agreement entered into between employers and employes from time to time? You see it is signed on behalf of the Master Builders' Association and the workmen. You said the standard wage is fixed by the Union. You see there it is fixed by the Masters' Association?—In the case of the Printers' Association, something of the same sort would apply. The present wage has, I take it, grown up, I don't suppose anyone could tell you exactly how the rate was arrived at.

111. There would be nothing to prevent masters and men in the trade all having the same idea. Now what is your opinion as far as the fair wage clause relates to the protection of a scrupulous contractor who is paying a fair rate, against the unscrupulous man. Suppose you are tendering, your tender is based on the standard wage?—It is based on the wages we are paying at the time being, which might not be the union rate, we might be a non-union house. My policy is to pay competent and progressive men above the standard wage, so that the estimate of any one contract would be based on the wages ruling in the establishment, which need not necessarily be the wages recognized by the union.

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112. But you know there are degrees of wages, even between builders and their men, in the case of Cape Town have you any experience in the working of this fair wage clause yourself?—None whatever.

113. Supposing in the building trade the statement is made that if a man does not keep up his work to the highest scale he does not get the tip-top wage?—That is in accordance with our practice, one man may have more value than another, and a man's wage is based largely upon the character of the work he is doing.

114. What is that, piece-work?—No, it is time-work. We have very little piece-work. Two men have the same class of work, and you will get out of one man very much better work, and in less time than the other. You simply find out by experience that your average is improving or otherwise, and a good foreman works up your average, and your object is to make your average higher, and the higher the average the more I am prepared to pay, even if over the union rate. As a matter of fact in such cases we would pay more.

115. Suppose now you are tendering for the Government, and your firm are reputed to pay fair wages according to their work, and suppose another man takes advantage of the necessitous

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conditions of the men?—I should say not to interfere, but it would be very unwise of the man taking advantage, because he could not depend upon the necessitous conditions remaining long enough to see him through his contract. I don't think any responsible firm in this town would base its tender for a contract on such conditions, especially a contract running over a number of years, it would be fatal.

116. But the fair wage clause means only that that Government would have in their office during the whole time of their contract a list signed by the employers and employees that they would not pay less than the current wage. This would not put you in a worse condition. It would only protect you against the unscrupulous contractor who, taking advantage of the necessitous conditions, quotes the same rate as the honest contractor?—Do I understand that the unscrupulous contractor who takes advantage of the necessitous conditions quotes the same as the honest one?

118. No. I understood you to say, but you don't understand me. There is a clause in that agreement, that the Cape Town Municipal Council have accepted, that contractors must pay the standard rate of wages in the several districts where the work is being performed, there you don't say the rate, the amount of wages is not put?—But I understood that was the idea behind it.

119. No, the very idea is that it follows the law of supply and demand. Well, look at that clause what difficulty would there be of tendering to the Government for a contract limited by a clause like that?—There would be extreme difficulty in coming to a decision between employer and employee as to the wage being paid at the time being.

120. But you see until that is fixed there is no fair wage at all?—Then there is no reason why a master should not exercise pressure on his men to bring that rate down.

121. But how could he bring pressure if he was one of the Printers' Association, one individual



could not?—No, I am not assuming one master, but masters generally might decide that the rate was too high.

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122. You mean the agreement might be broken? —No, I mean by exercising pressure they might still retain the agreement, but at a lower rate.

123. Would not that be better than leaving it as at present in the hands of the unscrupulous contractor?—I don't think he could take advantage except in the case of necessitous conditions.

124. The necessitous conditions come very frequently in printers' labour?—I don't think so; they ought not to come, and would not except when the trade is overdone, as in this country;—you have in South Africa at least twice the amount of plant that is required.

125. *Chairman.*] You are talking of printing?—Yes.

126. *Mr. Alexander.*] Will you tell me what difficulty there is in fixing such a clause in your trade when it has been found so easy in the builders' trade? Where is the difficulty in having this rate of wage?—I don't say it might not be done.

127. Have you ever tried?—No. I don't say in the future there may not be a change.

128. Why has it been found necessary in the building trade, and not yours. The only reason is that you printers are not organized yet?—But we are paying the fair wage.

129. I am not saying you are not; but I say the reason you have not got this clause is that you have no organization?—We have at times come together, but not as organizations.

130. The masters have not formed an association yet?—The masters have always dealt liberally with their men.

131. The masters and men don't come together? —It has not been necessary.

132. *Mr. J. Searle.*] You said there was more plant in the country than was wanted. Are you aware that the Government are giving contracts out at Home? Is all the printing done in the

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Colony?—No; we have a contract with the Government in which the Government is at liberty to send any part of their work to outside people if they like; in fact we have a contract which, in this respect, is not a contract. They can send home to England or anywhere. This extraordinary clause was, I believe, put in some years ago to protect the Government against a somewhat negligent contractor they had had. The effect of this clause might be to leave the unfortunate contractor with a contract, laying upon him all the labour liabilities of a contract, and waiting for work that really might not come to him. Of course that has not been the case in practice, but there it is, and I believe work still goes out of the country although we have plant in Keerom-street to do all the work, with one or two trifling exceptions, required by the Cape Government and all the other Governments.

133. Don't you think if you had that regulation that it would be better?—I don't think so; considering how the plant is over done I don't think it would make much difference; there is a lot of plant without remunerative employment, and so, largely in consequence of this, you have many more men about than can find employment at present.

134. So that every man doing work for the Cape Government on the other side is displacing a man who might be doing that work on this side?—Well, I don't think the work required by the Colonial Government which now goes home would make all the difference that seems to be in your mind. In fact, your Estimates will show what amount has been voted for stationery and printing, and it would show that it would not be anything like sufficient to keep a plant like ours going.

135. But you think as far as possible the sending of orders to the other side should be abolished?—Of course I do.

136. You spoke of case work, that is printing the newspaper?—No, that is linotype work principally, although there is some case work.

137. But coming back to ornamental jobbing work, of course the intelligent man can earn more as regards jobbing, especially if working on his merits?—Yes.

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138. *Chairman.*] Do you think it would lead to fixity of employment and a more satisfactory state of things in Government contracts, even yours if it were clearly understood, that there was a certain basis of wages to enable you to specify more accurately your contract, and to enable the Government to see whether it would pay them to give out the work?—I don't think so, I should think it unwise for the Government to do so.

139. One object would be to regulate wages?—Yes.

140. So you think it is necessary to regulate the wages?—Yes, but I think it better to leave it to the trade than do it by Government.

141. But you think there should be some way of regulating the wages. Your very condition shows that?—Yes, I quite agree; but I think it is a matter that may be left to the trade.

142. With regard to this idea of the fair wage clause, I understand there is no rigidity of wage at all, but the wage which you, as the firm's representative in agreement with your men, would consider a fair wage at any time that I hold to be the fair wage?—Yes.

143. Now I put it to you that any Government calling for contracts would say in its tenders that that would be a basis on which contracts would be entertained, that would be better than allowing an unscrupulous man to come in on the hope of cutting you out and making an undue profit on sweated labour?—I don't think there is so much risk about a Government contract, as no responsible firm would think of entering into it in a light manner.

144. That is so. No responsible firm of repute would do it, but you see that fixing it in this way would tend to protect the scrupulous contractor?—This co-called unscrupulous competition is usually brought against us by a man who is a working

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master and takes as his wages what is over after paying the other wages and all expenses.

145. What harm would you see to the Government or the contractor in coming to an arrangement on that basis?—I think you are putting the contractor under a disability as he takes a certain risk in the matter of raw material and labour. There are other forms of labour involved, and I think he ought to be allowed to adjust these things without any fixed standard.

146. But that is not my contention, there is no fixed standard. You would not be in favour of a firm of repute going below what you consider a fair wage to make his contract pay, you would not be in favour of that?—No.

147. Then would you not prevent a firm that was not of repute that wanted to do that?—I don't see how it could be done.

148. You said just now that material varied from day to day, what do you mean by material?—Paper and other raw materials.

149. I am not talking of the material used in anything, I am talking about the human being simply?—But contracts involve other things.

150. But that would not come into this?—But we were talking of contracts generally and I said these things varied.

151. If I understand you aright then your contention is if you lose on the material, take it out of the man?—Not necessarily.

152. Well, what would you propose?—Well, a machine might come along that could do the work, we had contracted for in the first place to do by manual labour, and that machine could be worked, and to be remunerative, would have to be worked by cheap labour and would do the work quite as well, but we could not avail ourselves of this cheaper labour owing to the clause.

153. No, we don't understand each other. This new machine would not interfere with the fair wage as it would be another matter?—No, but it might alter what you call the standard wage.



154. But the highly skilled man you would still be paying him the rate?—Yes, for his class of work.

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155. Would it be unfair to protect the firms of repute who were prepared to pay the men employed by them fair wages, to protect them against firms who are not prepared to do that: would you agree with that?—Yes, certainly.

156. Now would it not be right for Government to insist upon that principle, to say that these principles will be insisted upon?—I have no objection, it may mean anything.

157. But the principle is correct?—Yes, but it is what happens in practice, at present, there would be no difference in the conditions than now obtaining.

158. Of course you know the fair wage contract clause is in practice in many foreign countries, and in this Colony and the Transvaal, and has done no harm to anybody?—I am not aware it has done much good.

159. But it is right in principle?—Oh, yes.

160. Now the printers, I understand you to say, agree upon a wage that is recognized as standing?—Well, if a man comes to us and he regards a certain wage as a fair wage he asks for it, and if we so regard it we give it.

161. Are the printers affiliated with the Labour Association?—That I don't know.

162. *Mr. Long.*] With regard to these unscrupulous firms who take advantage of necessitous conditions, I want to know if there is any danger of you as a fair employer being damaged by him?—Not in contracts, but in the jobs that come along from day to day. The sort of unscrupulous employer I have in my mind is one who employs one or two men, he works himself and has no oversight to pay, and all after the work and material comes to him as wage. He can do a lot of cutting but it is in small work. He cannot touch the large work, but he is a nuisance. He is constantly coming and going, one goes under and another takes his place.

Mr. J. A. Hall. 163. But if a man based a long contract on these conditions, he would run a grave danger?—Oh, yes, but the man I speak of could not tender for such work.

164. Your firm, Mr. Hall, is in a favourable condition that no other firm can be?—It is.

165. But it might be different taking a building trade?—Yes, I should imagine it would be.

*Mr. Thomas Maginess, examined.*

Mr. T. Maginess. 166. *Chairman.*] What is your occupation or work in town?—Engineer and workshop instructor at the South African College.

167. You are the chairman of the Cape Town and District Trades and Labour Council?—Yes.

168. What organisations are affiliated to that?—The Engineers, the Typographical Society, Masons, Carpenters, Painters and Boiler-makers.

169. Tailors?—Yes, Tailors.

170. You are aware of the object of this Committee?—Yes.

171. The first point is imported contract labour, and the question is whether it would be advisable or not to prohibit imported contract labour under certain conditions. You are acquainted with the problem?—I might state to the Committee that there is a strange misconception as to the attitude of the Labour Party or the Labour Council, which represents labour. People have said that we object to all classes of contract labour coming in, whether available in this country or not. Well, that is a wrong conception, and to make it quite clear I might state that during the late elections I issued a manifesto and in that manifesto I stated that “I am opposed to any further influx of contract labour, except such labour which cannot be procured in the Colony.” We are not opposed to the introduction of experts. If they want them let them have experts, but that labour must not be available in the Colony. We hold if it is possible the people of this Colony should have the preference. I think this a reasonable proposition.

172. Then your whole argument is that labour should be prohibited if obtainable in the country at the regular wage?—Yes, if it is to be got at the regular wage, because it is unfair to import contract labour into this country at a lower wage than is obtainable in the country. The men imported are mostly single while the men in the country have their wives and families. These men are generally brought at under price and the men in employment, men with families, men belonging to the country and brought up in the country are displaced on account of this contract labour, because the imported labour comes in at less than the standard rate.

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173. *Mr. Pohl.*] Do you know as a matter of fact that many of those large firms who employ large numbers of men did all in their power to get the labour here before they imported? Did they bestir themselves before going to England or elsewhere?—No, I don't think they did do, but in the ordinary run of business they look for the available labour.

174. How do they look?—Perhaps they advertise.

175. Do they do that?—Sometimes they do, but it is a long time since labour was required in the Colony. For the information of the Committee, to give them an idea of the unskilled labour available in the Colony at the present time, I may say that 75 per cent. of the carpenters are not employed; the painters' society about 95 per cent. of them unemployed; the tailors' society is practically the same, about 50 per cent. being unemployed, the wages paid at the present time are practically a starvation wage: a certain important firm in Long Street is trying to import tailors at 30s. per week, when the wages of tailors are anything from £3 to £4 10s. per week. Many of you know the firm of Sir John Jackson in Simonstown. That man has practically imported all his labour, mostly Italians and mostly from Rotterdam. With reference to the carpenters, he imported most of them from Rotterdam at 10d. per hour when the current rate was 1s. 9d.! he imported bricklayers at 9d. per

Mr. T. Maginess. July 20, 1908. hour when the current rate was 1s. 9d. He imported his engineers from Rotterdam giving them 7s. 6d. a day when the standard rate was 12s. 6d., thus displacing men in the country. Sir John Jackson has done nothing but import labour. These men did not know the conditions they were coming to. I think there was about six men came to the Trades and Labour Council, they could not speak the English language, but they brought an interpreter with them and asked their advice on the conditions of the contract, because when they got out here they found the cost of living here was so much more that they could not live. The Trades Council took legal advice on this point, and found the contract made on the other side was binding, and they had to abide by it. This shows the men were brought out at practically a starvation rate and did not know the conditions. We think that unfair, not only to the people coming here, but to the people in this country. They were not experts, but ordinary bricklayers and carpenters.

176. *Chairman.*] Was there plenty of men here then?—Yes. The next men Sir John Jackson brought out were three plumbers. They were brought out under contract.

177. *Mr. Pohl.*] Are all these men imported labour?—Yes.

178. Is there no other consideration under which they were imported except this?—I cannot say. A man must be a competent man before he is admitted by the Union.

179. How do you measure the competency?—When a member is proposed he must have a proposer and a seconder and men to support him, men who have worked with him and who know his ability, and if that man turns out a failure the Union fines the men for proposing him.

180. Therefore, if I come out here as a plumber, and send my application to you, you would not accept me?—Not unless we knew you were a competent man.



181. Well, suppose I had been working as a plumber for ten years and had a certificate?—Oh, yes, if you had a certificate.

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182. Suppose I had been a plumber for ten years?—We would accept you if we knew you were a competent man.

183. You see I should like to know whether all these men imported were good men from abroad "but it is because we cannot get the men out here" that is the attitude they might take up, but you say you never admit a man to your Union unless he is competent?—Yes, that is so, we never admit a man unless he is competent. We do that to protect ourselves at home and here. We are asked to send a certain number of competent men to a place and we do so, and if they were not competent the people would not get any more from the Union.

184. That is done in England?—It is done here also. There is the Typographical Society.

185. *Mr. Alexander.*] Did not that society have to intervene in a dispute with the printers where men were got in?—Yes, there was a strike on at "Ons Land," and men were brought from Rotterdam by the employers to take the place of the strikers. I think it was about three years ago. The Council took legal advice upon it.

186. The last witness said nothing of that kind had occurred in the printing trade, that is why I wanted to ask?—Oh, it is a common thing that crops up at every stage, but the "Cape Times" pays contract wages.

187. *Mr. C. Searle.*] You do not want any contractor to import labour provided there is sufficient here?—Yes.

188. Well, what is sufficient here. Certain wages being fixed, if there was a scarcity of labour, the wages would be higher, according to supply and demand, and would you fix the rate at this high rate and prevent the imported labour being brought in below that high rate that prevailed here if the prices were too high?—You say the prices are fixed by the wages market.



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189. Yes, but how would you fix the wages here?—That would come under the fair wage clause.

190. I want to know under what conditions would you prevent imported labour being brought in?—In the United States Imported Contract Labour Law—I have been there, I was stopped by that law.—There is a contract labour law, and no man is allowed to land there under contract unless it is proved that there is not that class of labour in the country. I think it is left in the hands of the President but I am not certain. It is a very stringent law, you are examined about it.

191. Is that the condition you want to apply to this country?—Yes: that no man be allowed to come in under contract. That is if the labour is available in the country. I may say the Canadian Government, some few weeks ago, issued instructions forbidding persons under similar circumstances. Acting on representations from the several labour organisations, the Canadian Federal Government has issued instructions excluding mechanics, artisans, and several other trades from entering the Dominion.

192. Are you acquainted with other parts of the Colony outside of Cape Town?—Mostly by correspondence.

193. You know the wage would vary in different parts of the country?—Yes. We only mean this to apply to the districts worked in. I think the wording of the Municipal clause is very good.

194. *Mr. Long.*] I want to make this quite clear about imported labour. You say if any man says that you desire that contract labour is to be prohibited, whether there is sufficient labour in the country or not, that he misrepresents your attitude as a Trades and Labour Council. You say, if he says that, and that if he says you wish prohibition only to come into force provided there is sufficient labour in the country, that is correct?—That is all we want; if he is satisfied there is not sufficient labour in the country, import it.

195. You are prepared to accept that condition that prohibition shall not apply if there is no labour in the country without being imported. therefore, if anyone says it is not so he is wrong?—Of course, the thing is ridiculous if we are getting a good demand we must import them under contract.

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196. I want to make it clear. It only operates if other labour is available?—Yes.

197. Does your clause as to contract labour, does that apply to any kind of contract. Taking your contract clause in itself, does that cover any kind of contract? Suppose I get a man under contract by which he pays back his passage, he can go at any time?—No Government stops that.

198. What do you actually mean by contract labour?—Coming out under a signed contract made in England or Europe or elsewhere.

199. I am getting at a thing which has been a matter of controversy. You would not limit the word contract simply to contracts in which there was the wording that a man should not go under a certain time?—No; all contracts, because that would make it complicated. We want the Government to have to say that if there is labour available in the country it cannot be imported.

200. If anyone says that this contract clause as to contract labour applies only to men who are bound to a certain period, and without condition as to paying the passage money back, they are saying wrong?—Yes.

201. You were speaking of the United States law, the word contract is construed very strictly, it only applies to certain forms of contract, it does not apply to only one sort of agreement?—I have not the proper definition of the word contract, United States definition, or wording of the law.

202. I can quote you agreements which are held in the United States not to be contracts under the labour law. Of course, this contract of Sir John Jackson has not affected you?—No. I was giving it merely to show you what is being done. When

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Mr. Chamberlain was here we put the same thing before him, but could not do anything.

203. With regard to importation, you say there is certain importation in competition with local labour. We will leave out the "Cape Times," but you think the clause is necessary for printing also?—Yes, there are lots of cases. I am not referring to the "Cape Times," they pay the standard rates, and the printers' delegate will tell you that there is a big importation to Port Elizabeth during the last few weeks. We are waiting to have details down now.

204. Is that from Holland?—No, mostly from England.

205. But Mr. Hall's evidence went to show that you could not get labour from England?—He was referring, I think, to linotype labour.

206. Do you know anything about apprentices in the printing trade?—Yes.

207. Can you give us the reason there are so few? Is it a fact that the trade does not offer sufficient inducement?—Well, the owners have never advertized for apprentices. If a man is working as a compositor he tries to take in his son. If the father is a printer he wants his son to follow him in the trade. It is not a common thing in any country to advertize for apprentices.

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*Thursday, 23rd July, 1908.*

PRESENT :

Mr. CRONWRIGHT-SCHREINER (Chairman).

Mr. Alexander.	Mr. Powell.
Mr. Fremantle.	Mr. J. Searle.
Mr. Greer.	Mr. C. Searle.
Dr. Hewat.	Mr. Theron.
Mr. Pohl.	Mr. Long.

*Mr. Thomas Maginess*, further examined.

208. *Mr. Long.*] I want first to ask you one or two questions affecting the American Statutes—the American Labour Contract Law—for instance. *Mr. Maginess*, the law of 1903. I don't know whether you are acquainted with it?—No, I am not acquainted with the wording of the law.

209. It says “that it shall be unlawful for any person, company, partnership, or corporation in any manner whatsoever to prepay the transportation or in any manner to assist or encourage the importation or immigration of any alien into the United States in pursuance of any offer, solicitation, promise or agreement, parole or special express or implied, made previous to the importation of such alien, to perform service or labour of any kind, skilled or unskilled, in the United States.” That is the latest law on the subject. There are several exceptions, it is subject to this exception: “Nor shall this Act be so construed as to prevent any person or persons, partnership or corporation from engaging under contract or agreement, skilled workmen in foreign countries to perform labour in the United States, provided that skilled labour for that purpose cannot be otherwise obtained; nor shall the provisions of this Act apply to professional actors, artists, lecturers, or singers; nor to persons employed strictly as personal or domestic servants; provided that nothing in this Act shall be construed



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as prohibiting any individual from assisting any member of his family or any relative or personal friend to migrate from any foreign country to the United States for the purpose of settlement here"?—Yes; that is quite right.

210. And it does not apply to certain arrivals, people like singers?—Yes, that is visitors for the time being.

211. I want to ask you whether you are aware that all contracts in this law are very strictly interpreted, that is they will not hold that any agreement constitutes a contract, it must be a definite, specified agreement?—Yes.

212. I just wanted to draw your attention?—Yes, that is practically our contention here in similar cases. It mentions there about new industries, we do not object to experts coming out to start new industries.

213. *Mr. Powell.*] Take the case, Mr. Maginess, of there being labour here, but such labour, in the judgment of the employer, not being what he requires or desires, would you prevent him by law from making a contract in England for the particular kind of men that he feels he wants?—Well, the thing is—you mean when there are men, qualified to do it, here?

214. Not in the opinion of the employer, they might pass in the eyes of others, but not suit the requirements of the employer, in his opinion; would you be against the importation of labour that would be in accordance with his ideas?—Of course, personally, I think that would leave a very serious loophole for the employer, because he would turn round and go haphazard into it and say "that man won't suit me." Say he might be a unionist man, and he—the employer—might have a prejudice against unionists and say "this man won't suit me." If such a loophole was left he might have a tendency to go beyond his limit.

215. I put it to you as a case in point. I was formerly manager of a printing business and we had a number of men who called themselves com-



positors, but were very indifferent?—There are no incompetent men in the union. If we find a man is incompetent he ceases to be a member of the union. A very strict investigation is made before he is admitted into the union, because it is to the advantage of the union. If you were manager of a printing company and you wanted compositors, and you were to send to the union for men and we sent incompetent men, naturally you are not going to send back there again for men, so it is to the advantage of the union to send competent men.

216. Then the employer would be actually in the hands of the union as to any question of competency; he could not exercise his own judgment as to what was a competent man?—Well, if he likes to take the risk of going outside the union, let him.

217. But I take it your law would prevent him going outside?—Oh no, we don't put down a law that an employer is not to go outside the Union.

218. But you would prevent him importing labour without the Union's sanction?—That is if there was any available labour.

219. Do you not think that in most cases the contract is really a protection to the workman on leaving England for a country of which he knows nothing?—But do you not think it is a greater injustice to the man who has been here all his life, has been brought up here, and has his family here, to bring out a man to displace him and his family.

220. That is not an answer to my question, that may apply in the case of the man out here, but is not the contract a protection to the man at the other end?—I always look at it in the way that charity begins at home and we should use the labour available here before we go outside.

221. But answer my question, might not such a contract be regarded as a protection to the British workman coming to this country ensuring him employment with reputable firms, as it ensures him employment for a period?—Well, then, it is fair to the man coming out but unfair to the people on the spot.

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222. That is another point, but it is a protection to the workman coming out?—Yes, that is, if he is getting standard conditions when he arrives.

223. Yes, but if he was not, it would not be?—No.

224. But if he was?—It would be a protection to him, but not to the man on the spot.

225. *Chairman.*] If there was no labour available here, and a man was imported at standard wage, you think a contract a desirable thing?—Yes.

226. *Mr. Pohl.*] I should like to ask a question as to the way you determine competency. Suppose that a man came from Italy or some other part, and suppose he is a competent mason, would you immediately allow him to become a member of your union?—Yes, we do not say that if a man is a German or an Italian he cannot become a member.

227. Yes, but I think you don't admit a man unless you have two men to prove him to be competent?—Oh yes, we admit men who have certificates.

228. Well, suppose he comes, and that nothing is known of him, and he states he is competent, would you admit him?—Yes, the different unions throughout the whole of England and elsewhere are pretty well in touch with each other, and if he is certificated I don't see why the Union should object to him, it is rare that we find cases of that kind come in.

229. Most of the men who come in are Union men?—No, I don't say that, they don't rush to the Union and join directly—and thus the men working with them see if they are competent and ask them to join the Union.

230. But in the event of a man coming here and wishing to join at once?—I think if he had a certificate of efficiency, I don't think that the Union would object to him if it was a reliable certificate.

231. *Chairman.*] You want proof in any form that he is competent?—Yes, but it is rare that a man brings his certificate out and comes straight to the Union.

232. And by the time he comes to join you have found out about him?—Yes we know.

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233. *Mr. Greer.*] Then I take it a man may work if he is a non-unionist?—Oh, yes.

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233A. Then you don't object to that?—No.

234. *Mr. Long.*] You say a man has to be proposed by two of his fellow workmen. Don't you often find they propose a man because they don't like to refuse him?—Well, they run that risk, but they get heavily fined if they are found out.

235. But you have a check on them?—Yes: it is to their advantage to see we have only competent men in our Union, because of supplying men and because there are so many incompetent we have to be careful.

236. Are you acquainted with the fair wage question? Are you in favour of a fair wage clause in the Government Contracts?—Yes: it is one of the finest things out, not only for the Government, but for the protection of the workmen engaged.

237. Will you state what you consider about it?—Well, I have brought with me the different rules and agreements drawn up between masters and men as to what is a fair wage. This is the rule-book of the Carpenters and Joiners. The members of the Master Builders' Association and the men have come to an agreement that certain rates of wages come to in the district are the standard rates. It is an agreement between the masters and men as to the fair wage. In the painters' section rule-book there are two rates, and represent the fair wage for competent men.

238. Is that subject to variation?—Yes, but the masters and men must come together and agree upon it.

239. It must be a mutual agreement?—Yes, it must be a mutual agreement. The masons also have a standard wage which is shown in Clause Three, there are different rates. The rules of the builders are signed by the Builders' Association and the men.

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240. So as I understand you these things are a matter of mutual agreement, do they work well? —Yes, up to the present it has worked exceptionally well, but owing to the depression a number of master builders have severed their connection with the Association.

241. This is in vogue with the Cape Town Municipal Council?—Well, it has been passed by the Council, but is not yet in force because the Municipal Act has not yet become law.

242. Is this fair wage clause fairly universal in Europe and America?—Yes, it is. It was first passed by the Government School Boards, and I may just state that I have a list of Municipal bodies in England that have the clause. This is an extract from Chambers' Encyclopedia: "It has been formerly recognised by Parliament and it is carried out by the Government which not only interfered to obtain for the work people employed by its contractors the full current rate of wages but has in a recent important contract provided that the contractor unless expressly authorized shall not either sub-contract the work or employ any taskmen, *i.e.* piece matter." I might state that the British Government passed a resolution "That in the opinion of this House it is the duty of the Government in all Government contracts to make provision against the evils recently disclosed before the Sweating Commission to insert such conditions as may prevent the abuse arising from sub-letting and to make every effort to secure the payment of such wages as are generally accepted as current in each trade for a competent workman." This was passed in 1891. The British Government have had a fair wage clause in all Government contracts since 1896. Many public bodies in England, Scotland and Ireland, including the London County Council and the Municipal Authorities of Birmingham, Gloucester, Leeds, Leicester, Liverpool, Manchester, Middlesborough, Nottingham, Salford, Sheffield, Sunderland and West Ham, etc., now require their



contractors to pay full current wages, and in numerous cases sub-contracting is not allowed.

243. Is it in operation in South Africa in your knowledge?—Yes, it is in operation in the Transvaal at the present time.

244. In Government contracts?—No; in municipal contracts, I think.

245. You think it advisable to have it here in Government contracts?—Yes. I think it would be a good thing.

246. Do you think it would press hardly on the employers?—I do not see how it could, because, if you have a fair wage clause, it puts every tender on the same basis; the man knows the wage he will have to pay his workmen, and knows everyone else will have to pay the same wage.

247. What about men who are not fully competent, but still may do inferior work, who may be employed on such work on a contract, what would be the arrangement in that case?—I may say that that is a contentious point. If such a thing was done, there would have to be an agreement between masters and men.

248. A sub-agreement?—Yes.

249. *Dr. Hewat.*] The Chairman asked you, Mr. Maginess, as to how a fair wage clause was fair to the Government and the employee, now that is the gist of the whole question. I should like to have it made clear whether a fair wage clause is fair to the Government and fair to the man?—Well, first as to the man, it is competent men that are employed on the contract and don't you think if the Government want a piece of work done that they want it performed by the most competent men, so it is a protection to the Government and to the men engaged on the contract. Another phase is it places the employers all on the same basis because they are tendering for the contract on a certain basis and one cannot come in and cut under another, and, if there is any undercutting in work it is upon the workmen that it comes, the burden is upon the workmen always.

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250. Have you found there has been a tendency in the past to tender for jobs at lower prices and give unfair wages to employees to make up for it? —Yes, that is another thing, in every country in the world. Take Cape Town, with the present slump in the trade the contractors here are undercutting each other and then they have to bring down the wages to suit the prices, and the men suffer. There are practically no skilled bricklayers and carpenters employed at present; they cannot get a job because of this undercutting, taking jobs under price.

251. *Mr. Theron.*] Can you prevent that?—If it is on Government work if the Government inserts a fair wage clause, that a fair wage must be paid while the work is being done, that undercutting cannot be done, because if the man wants the work done he must pay the workman a fair wage. So if a fair wage clause for fair conditions is inserted he must recognise this and pay the fair wage.

252. *Dr. Hewat.*] Suppose labour and Government or employer and employee could not agree as to a fair wage, what machinery could be brought into operation to decide which is right? Suppose Government said the rate was too high and the employees said it was too low, who would decide?—Well, the only thing I can see is to have an impartial judge, the same as it has been done at home. Take the great railway strike, at least the contemplated one. The President of the Board of Trade went to them, they could not agree, so they had to get an outside man. So in a case like this there would have to be a similar arrangement made in a case like this.

253. *Mr. C. Searle.*] You gave a list of places in England where this clause was in operation—is it optional for the different places to have it or not? —Well, they passed it themselves, and it has become law; if you make a law you must abide by it.

254. Yes, but is it optional for them to have it or not—are they forced by the Government?—Oh, no, it is optional.

255. You stated that 1s. 9d. was the rate for carpenters and joiners. Suppose an employer wants rough carpentry done that does not require a skilled carpenter or joiner, don't you draw a line between rough carpentering and skilled? Won't you draw a distinction?—Well, not unless they had a sub-contract. then it would be taken into consideration. For instance, the masons have two or three different classes, and you will find in different trades that there are different prices, as it were. But the broad principle is they would have to pay a fair wage. These are exceptional cases that might crop up.

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256. But for common work is it not usual to engage inferior men to do the work, you would not as I said engage a joiner to do rough carpentering?—Well, I suppose the Government would want the work done as well as possible. I think that is cheaper in the long run.

257. But the rough carpentering, a rough carpenter could do the work as well as a joiner?—Yes, but an arrangement would have to be made in such a case.

258. Then the price would have to be entered in the contract?—They would know the work to be done and know the particular labour that would have to be employed for that class of work and then they could put the price, because they could schedule the work.

259. But I understand the Union would fix what the fair wage would be?—No, I don't say that, the masters and men would fix it.

260. And no Government contract would be taken except at a price fixed by the employers and men?—Yes.

261. No outside employer not a party to the agreement would be able to enter into a contract at a price below that?—No.

262. Would there be any system by which different rates of wages would be paid in different parts of the country?—Oh yes, it is the rate current in the district in which the work is to be done.

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263. You recognise that in some districts the rates vary?—Oh yes, some are higher, some lower.

264. Suppose there is no union in these places, how would you arrange?—I think it would have a tendency to raise unions, men would see it was to their advantage to have a union.

265. *Mr. Theron.*] But would you apply that to native labourers?—I am only speaking now of skilled labour.

266. But would you apply it to coloured men?—Yes, if they were skilled.

267. *Mr. C. Searle.*] Then your contention does not apply to include unskilled labour?—No.

268. And you don't draw any distinction in colour?—No; I may say that there are unions in which there are such, and they are getting standard rates.

269. *Mr. Theron.*] Suppose the Government contractor contracts for laying a railway and employs native labour for the rough labour, to build earth-works, could you in that case have the fair wage clause introduced there?—I should say if there was no association where that railway was to be built I don't see how we could force the arrangement there.

270. But you want the Government contracts to have the clause?—Yes, but if they were going to have platers and rivetters to lay the rails, there are few platers or rivetters we don't know, and they would be drawn from Cape Town and the larger towns, and they would naturally want standard wages.

271. But don't you think that when you introduced men where there were natives employed that it would have some effect upon them also?—You mean——

272. As far as the standard wage is concerned?—Reduce the white wage do you mean?

273. No, put the native up?—Well, that is what we want to do. He has been down far enough now.

274. But suppose I am a farmer and I have a herd that I pay a sheep a month, and I have to feed him and provide for his wife and family, but now that man says, "No, sir, that man is drawing four shillings a day; I must have that: I cannot work any longer at the rate of a sheep a month?—I confess I am not quite in touch with that class labour."

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275. *Mr. Long.*] Mr. Maginess, you gave us, I think, two instances of agreements of this nature. Can you tell me how many instances there are in Cape Town?—Yes. There is the Painters' Society in Cape Town: that is amongst the organized Unions. I don't think the printers have a signed agreement.

276. Could you tell us generally how far these agreements extend through the trades? Are there many trades in which there are no agreements?—Well, in reference to the engineering trade, in which I am employed, there is no agreement.

277. Well, put it generally. Do you think the majority of trades in Cape Town are subject to such agreements?—The building trade is and the carpentering trade is also. I might say about the tailoring trade that Hepworths drew up an agreement with the Tailors' Association when they opened their factory a couple of years ago, but whether it was carried out I don't know.

278. If that agreement was in Government Contracts it would apply to all labour in Government Contracts?—Yes.

279. To arrive at that agreement you must have a Union of workers?—Yes.

280. It points to union?—Yes, in every trade in this Colony there are Unions, in fact throughout the whole country, so there is no necessity to form new Unions amongst the men.

281. In order to arrive at the standard rate of wages throughout the country would you be in favour of the establishment of a wages board?—Yes, strongly in favour.



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282. The whole thing is based on the method of finding a fair wage. At present there is an arrangement between employer and employee. Would you be in favour of a wage board?—Yes, strongly. the principle is the same.

283. On the model of the Victorian system in which the board consists of three men from the employers and three from the employees, and then have an impartial chairman. My point is this, that the Victorian system, as you will see, does not necessitate a trade union at all?—Oh no.

284. Therefore, if a fair wage board was established in Cape Town or South Africa that would have the effect of doing away with the trades unions?—Well, I don't go so far as that.

285. Well, considering that the fact, that there would be no necessity for trade unions with a fair wage board, are you still in favour of establishing fair wage boards?—With fair wage boards we must have a combination.

286. Not absolutely necessary?—It has a tendency that way because it would be necessary to have an organization to make representations to the wages board.

287. But it does not necessitate a Trade Union?—No. but a certain combination amongst the men would be required.

288. Then in the matter of the Fair Wage Question in 1906 the question was asked Mr. Palmer "Is it not necessary for every man to be a member of a union" and his reply was "No, whether a man is a member of a trades union or not he gets his minimum rate of pay." So if a fair wage board was established you would regard that as as good as the present system?—Personally if asked if I would have a fair wage clause or a fair wage board I would be in favour of the fair wage board because then it would apply to outside workers.

289. Dr. Hewat asked you as to what would happen if it could not be agreed as to a fair wage. When a fair wage contract is based on a fair wage as agreed upon, suppose one of the parties



wanted to break the agreement during the period of the contract, you suggest there might be some form of arbitration to deal with the situation, but it must be mutually agreed between masters and men that the agreement must be broken, and that it is impossible to carry out the contract under the original conditions, therefore there must be a conference between masters and men to break the agreement. If such a case should arise, supposing that should happen, what would occur to the contractor?—Well, he would be in it; it would be between the contractor and the men doing the work.

290. But the contractor has entered into an agreement with the Government which is based on the agreement; if it is upset, how is he going to carry it out?—Well, I think certain powers should be left in the hands of the Government in case of such a thing happening.

291. Say that A, a contractor, gets a contract based on this fair-wage clause and suppose, while the contract is going on, his men strike and break the agreement, as they are perfectly at liberty to do, now what remedy would you suggest for the contractor in the circumstances. You say the Government should have some power, that is, some power of coercing the men while it is going on?—I think the Government have some powers in a case like that. Suppose there is a big contract given out by the British Government and war broke out and the men went on strike taking advantage of the war to get higher wages well that Government could turn round and say they must go back to work again, that the contract must be performed.

292. Yes that would simply be putting the military on in that case because of the safety of the nation?—Yes, but they must carry out their contract.

293. So you would put in the act establishing the fair-wage clause, a clause empowering the Government to coerce the men?—No, there are

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strike conditions in the contract, in all Government contracts, there are conditions against strikes. 294. *Mr. Powell.*] You said the fair wages clause is an advantage to the workmen, is it not also a great advantage to the honest contractor who is prepared to pay the fair-wage rate as against the rascally contractor who contracts on sweated wages?—Yes. That is our contention.

395. Well, Mr. Searle spoke of rough labour, which I might call second-class labour, is it not a fact with your unions that they do not tolerate in their scheme any rough or second-class labour?—Well, the painting trade do. Now, if you look in the agreement between the painters and the master-builders of this country, the wages vary from 1s. to 1s. 3d., now 1s. is for inferior labour, that is plain painting. etc.

296. So they do provide for it?—Yes, you will see it is so in the agreement.

297. Well, let me give you an instance. The union rate for printers is £3 6s. per week for compositors. It would be convenient in an office to employ an old and feeble man to do clearing and other work, but if, under union conditions, the union steps in, “you are a printer or you are not, you must have £3 6s. or a week, or if not you must be a labourer” ?—I don’t know about the printers, but in any other country if a man reaches such an age that he cannot reach the standard work, he gets a certificate that he can work under rate. I don’t know whether it is in force in the printers’ trade, but it is in others. It is here in Cape Town in the building trade.

298. *Mr. Alexander.*] Mr. Maginess, what proportion of the organised trades in Cape Town do the builders, painters, and printers represent, how many others are there who have not entered into agreement, in proportion to those who have?—Well, there are the Engineers. We issue a monthly report from Johannesburg of each of the districts which have standard rates. Some of these men have double the rates.

299. What other organisations?—The boiler-makers have no agreement. There is a agreement with the tailors at Hepworths.

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300. I should like to know if you take 100 to represent the whole organised trades how much can be taken by the builders, printers and painters. What proportion would these three trades take to the whole trade?—Well, the building trade is much the stronger.

301. Taking the three roughly how much would they be?—Oh, a good 75 per cent.

302. And they are actually under agreements?—Yes.

303. In your experience, Mr. Maginess, when you fix a wage do strikes become more or less frequent?—Less frequent, because the men know the conditions they are working under.

304. It has been put to you, a difficulty might arise owing to wage differing when a man took on a contract. If no fair wage clause was fixed would there be any difficulty? A man would have to make allowance for fluctuation: does that risk increase with a fair wage clause?—No, because he knows the basis he is taking.

305. It does not increase the risk?—No, it lessens it.

306. Another point was asked, with regard to trade unions, is it a fact that the fair wage Clause approved by the Cape Town Municipal Council contains no mention of the trade unions?—No, we don't force people to join it.

307. And I would like to ask if it is not a fact that you give the benefit of the Clause to the non-unionist. Your Union fights the battle for both?—Quite so, take piece-work even, if any definite agreement was entered into with the piece-workers they would all get the benefit.

308. You don't penalize them for not becoming unionists?—No; nothing of that kind.

309. You would admit a farmer in the country would not be bound to pay the same wage as a man in Cape Town would have to pay to his gardener?—No, of course.

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310. And you recognize the wages in the country could not be the same as in the town?—No, we recognize the difference.

311. You don't propose as a Union to interfere in the private relations between employer and employee, only the Government contracts?—No, we hold Government should be the model employer.

312. *Chairman.*] If a sheep a month was the wage, together with food for the family, that would be accepted as the current wage?—Yes, that would be the current wage.

313. *Mr. Pohl.*] You said the native was down far enough. In Cape Town and the large localities in the country where you have your trades unions well organized this fair wage clause might be an advantage, but take some upcountry places where Government proposed to erect public buildings and for which purpose they would require skilled men they would in all probability take the services of the skilled men in that locality, but would require more and now where you have natives working with carpenters, builders and masons, would this not perhaps upset your standard of wages. In this way would not this man say "John is engaged at that wage. I want it" when as a matter of fact the man might only have had experience with two or three houses?—You mean it would make the native want the same wages as the white man.

314. Or a competent man?—Well, we hold if a man is competent he ought to get standard rate.

315. Yes, but how are you going to determine who is competent? Here it is different, I can go to you and say "can you give me any information about A, B or C," but in the country it is not so, don't you think so?—Well, in those districts we would not have much control over them beyond seeing that our men in that district had standard wages. I don't see that we could force it in that district. We look at the standard in the district, and then that standard



must be recognized. The Act says, I think, the place where the work is being performed. If Government wanted to employ all coloured men there they are at liberty to do so, but must give the standard wage.

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316. Would you care to give your ideas as to the conditions outside Cape Town as to how it would work there?—No, I would not; you see I don't know the conditions in these small country places.

317. So you would not personally like to give an opinion?—No.

318. *Chairman.*] The abuses that you complain of don't exist in the country that you know of?—No.

319. When occasion arises who is going to be the arbitrator in the case like Mr. Pohl put?—That masters and men don't agree?

320. Yes, or put it this way, suppose there is a contract and wages jump, who is going to be the arbitrator if they cannot agree?—I take the instance in England, there they called in the President of the Board of Trade.

321. But we have no organization like that here?—Well, call in the Supreme Court.

322. If a difference of opinion arises during the work of a contract, it could, I take it, be settled before hand by the appointment of a provisional arbitrator in case of dispute?—Yes, in case of a dispute.

323. *Mr. Long.*] I see here rules for builders' conciliation boards?—Yes. I cannot say if in actual operation, but I may say they prevented a very big strike in Cape Town about a year ago. The Master Builders said they were going to reduce the wages twopence an hour, this conciliation board was brought into force and it was only a reduction of a penny and it averted a big strike.

324. *Chairman.*] With regard to the question Mr. Long put about wages boards, would it be necessary for the election of men on them for the workers to choose them. It is generally men who are organized who choose representatives on the board?—Yes.



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325. Well, if they were not organized, how would they elect them?—Well, I think it would have a tendency to get men to organize.

326. Do you wish to enlarge on your evidence?—No. I thought some questions might crop up about wages boards or other things, but it has not come on.

*Mr. George Herbert Parkhouse, examined.*

Mr. G. H.  
Parkhouse.  
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327. *Chairman.*] You are a printer, I think?—Yes, I have been a printer for a quarter of a century, and I am President of the Cape Town Branch of the Typographical Society.

328. Where are you at present employed?—At the “South African News.” I have been employed at the “Argus” and “Cape Times” as well as other places.

329. Are you manager of the “South African News” compositors’ department?—No. I am only a common or garden compositor.

330. The first head of our inquiry is the prohibition or otherwise of imported contract labour, will you say it ought to be prohibited, and if so, on what terms?—I am strongly of opinion that contract labour should be abolished.

331. Contract labour should be abolished?—Yes.

332. You mean imported contract labour?—Yes.

333. Entirely abolished, whether labour obtainable in the country or not?—I think imported labour has been abolished in America.

334. Would you prohibit the importation of contract labour if the sort of labour is not obtainable in the country?—Well, I would not prohibit experts to initiate new industries.

335. Just answer the question please. I want to know would you prohibit the importation of contract labour if the labour required was not obtainable in the country?—Can I answer you in this way, I want the labour of the country to be done by the youth of the country.

336. No, I want an answer to the question; it is quite simple:—If the labour required was not

obtainable in the country would you allow it to come in, but if obtainable, disallow it?—No, allow it to come in if not obtainable, but prohibit it if obtainable, most decidedly.

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337. Will you tell the Committee whether that is based on economic grounds or not?—My private opinion is that it prevents the youth being trained to the trade they should be. I know in the printing trade boys have served their time for 5 years, even more, 6 years, and then when they finished they do not know anything, they could not spell, and I want the youth of this country to grow up to be the mechanics of this country.

338. And you think the imported labour prevents them?—Yes, and another reason is, well, it destroys the right of combination. The Government should not prevent men combining; supposing we were not satisfied with the condition of any office or particular trade and we went and told the employers, so then they would tell us. Well, if you don't like it we will get out 100 men from England by cable, and these employers do get these things done—it is different to having experts out. Another thing it lowers the standard of living by overcrowding the market. A few men coming out may lower the standard wages. Can I give you some figures of the numbers that have come out here?

339. Just a moment. Have you any knowledge of people imported under contract wage at a wage that was under a subsistence wage out here?—No, I cannot say I have.

340. Is there an importation of printers' contract labour at Port Elizabeth now?—I have sent to make inquiries. I have had a letter from headquarters from Johannesburg saying there has been a landing of imported labour and the Immigration branch can make inquiry. I can give the Committee figures as to the importation of labour. I can remember Richards in 1895 had out 20 men under contract. In 1897 they had out 26 more. The *Cape Times* in 1903 imported another

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40. Townsend imported say 7. During the last 5 years the *Argus* management has been continually having contract labour.

341. You have given these figures but are you in a position to prove that that labour could have been obtained in the Colony?—I am not in a position to prove it, but I believe it is so.

342. Are you in a position to prove that the rate at which they were imported was materially under the rate paid here?—No.

343. *Mr. C. Searle.*] I just want to know if you know anything of the conditions in the country districts or is your experience confined to Cape Town?—I have travelled the whole of the country.

344. Yes, but not small country places?—No, but I know the conditions in small country places. Bloemfontein was. I think, the smallest place I was employed in.

345. You think the conditions similar to Cape Town?—Yes.

346. Similar conditions of living, and so on?—Yes, the wages they are getting in these country places are approximately the same as in Cape Town, and go just as far.

347. *Chairman.*] Taking the local conditions?—Yes.

348. *Mr. Long.*] I just want to ask you if you know anything of the conditions in country districts or is your experience confined to Cape Town?—I have travelled the whole of the country.

349. You have not worked in the country?—Yes, every part of the country.

350. Yes, but not in small country places?—No, but I know the conditions in small country places.

351. You think the conditions similar to Cape Town?—Yes, the conditions are very similar conditions.

352. The conditions of living and so on?—Yes. The wages they are getting in these country places is approximately the same as in Cape Town.

353. *Chairman.*] Taking the local conditions?—Yes.

364. *Mr. Long.*] I just wanted to ask you what is your definition of contract labour, do you include every kind of contract?—There is the 2 years' agreement in the printers' trade, and at the end of the 2 years your contract is out.

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355. You are not allowed to break your contract before the end of the two years?—It depends upon the nature of the contract.

356. Do you mean by contract labour only where a man cannot break his contract?—No. I would include contracts of any kind.

357. *Mr. Powell.*] You think that in the case of a contract it is an unfair thing for the employer whose men are on strike to import people from England in order to fight the men who are fighting him?—Well, I don't put it in that way, I say strikes could be avoided—

358. No you must answer, the employer and employee have this quarrel and you say it is not fair for the employers to conquer the men by importing labour?—No, I say it is unfair.

359. You wish the Government to make a ring and the masters and men fight it out without outside interference. Would you prevent the men, who are out on strike, leaving the area of disturbance and so compelling the masters to yield?—Yes.

360. Your idea is if you prevent the one man having an advantage you must prevent the other?—Yes.

361. I want to bring out some of the facts of the 1897 strike which are of importance. Do you remember that a firm who tendered for the Government Printing Contract about that time, tendered at a rate which could only endure if they paid the sweated wages which they paid to the men they imported from England—that is a fact?—Yes.

362. Is it not a fact that at the same time the *Cape Times* had tendered for the work on a rate based on what was then the fair wage to the white men in Cape Town?—Yes.



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363. Is it not a fact that owing to the *Cape Times* tendering on this fair wage basis they lost the contract and this firm obtained it?—To the best of my knowledge that is so.

364. Then these imported men at this firm's office found that under Cape Town conditions they could not live on the wages they had contracted in England to live upon here?—Yes, that is so.

365. Was not the result a strike in the early months of 1897? There was a strike in 1897?—Yes.

366. As a consequence of that strike was it not agreed that there should be a fair wage rate in Cape Town of £3 6s. a week for compositors?—No, it came to £3 6s. in 1903.

367. But the agreement was £3 6s. I was a party to it in the beginning of 1897, was it not a fact that it was got after the strike?—No, the wages went from £2 10s. to £2 15s. then.

368. I had to pay £3 6s. No I am wrong in the date. I should have stated 1897?—Yes, it is as you say.

369. Then the firm had to pay a higher rate of wages than they had agreed to pay in England, they came into the agreement to pay £3 6s. They all had to pay the rate?—Yes, in 1907 the wages were £3 6s.

370. The firm having to pay wages beyond what they had contracted to pay in England, the firm went insolvent?—Yes, I believe so.

371. And the *Cape Times* then obtained the contract?—Yes.

372. *Mr. J. Searle.*] Of course your position with regard to contract labour coming out would not apply in your own trade, say, taking linotype men, there are no men to be got here. It was introducing a new style, a new method, you don't object to them coming out just to introduce a new style?—No. I may say about nine months ago the *Argus* got out contract men from England when the market was overstocked, and we complained to



the Government. Colonel Crewe was in office, and we received a letter from Sir Pieter Faure that he had made inquiries about these contract hands, and was informed they came out as experts. Now, these so-called experts came out on the minimum rate of wages. I should like to warn the Committee that there are no experts in this trade. These experts came out at the minimum wage.

373. *Mr. Alexander.*] What is the minimum rate?—£3 6s.

374. *Mr. Long.*] Is it a fact that there were men in Cape Town who could do the work as good as the men brought out?—Oh, infinitely better, I should say. There are always 20 men out of employment in Cape Town—wanting work—and 100 to 150 compositors all over the country out of work. We are paying £1,000 a year out-of-work allowance, and £500 a year travelling allowance.

375. This was about 9 months ago?—Yes.

376. *Chairman.*] You have heard Mr. Maginess on the fair wage clause—are you in agreement with what he said?—Practically yes.

377. Will you comment on it and state anything you wish to do?—I think I am perfectly in accord with Mr Maginess.

378. Would you like to add anything explanatory?—No. I would like to say that the principle of a fair wage was carried in the British House of Commons, unanimously carried through the British House of Commons, in 1901.

379. *Mr. C. Searle.*] Is there any sweating in Cape Town at the present time?—Yes, there is sweating in Cape Town at the present time.

380. *Mr. J. Searle.*] Is it in any particular line?—Yes, the printing line and the tailors.

381. Would you like to state the name of anybody?—Yes, I should like to state the name of the Argus Co. In spite of the terrible depression they took on two girl compositors a month ago.

382. Do you know what they are paying?—17s. 6d. a week I believe.

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383. *Chairman.*] Are they competent compositors?—No.
384. Well what are they worth?—Nothing in my opinion, not worth employing.
385. They keep out competent men?—Yes, I think so.
386. *Mr. Long.*] Just about this sweating in the printing trade. This particular clause in the Government contracts would not have much effect upon this?—It would stop it altogether.
387. But only in Government contracts; this clause only applies to Government contracts?—Yes.
388. Do you say Government contracts are sweated at present?—No.
389. Then it would not make any appreciable difference?—Yes, it would.
390. I put it, there is only a small amount of Government work in the hands of people who are sweating in the printing trade?—No; but there might be.
391. At the present time?—No, there is not.
392. *Mr. Alexander.*] You were the secretary of the Trades and Labour Council Fair Wage Committee, and, they looking upon you as the most expert man, entrusted you with the negotiations between the Council and the Municipal Council, and you attended a conference at their request. You met me and the Town Clerk and the Engineer and we agreed upon this clause, in the appendix to the Select Committee Report on Factories and Fair Wage Clause in 1907, and that clause was unanimously adopted by the Council and your Trades and Labour Council as being satisfactory to employers and men. This appendix on page nine?—Yes.
393. You were asked the question as to whether the case of the two girls would be interfered with by a contract labour law, but if the imported labour clause came into operation such a thing as the *Argus* importing compositors would be put a stop to?—Certainly.

394. Of course there might still be some sweating done by people, in the case of private employers who do not apply for Government contracts, which this Committee do not deal with?—No.

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395. *Chairman.*] Do you know if any Government printing is done in England?—Yes.

396. *Mr. Powell.*] Could it be done here?—Yes.

397. At the rate of wages now prevailing?—Yes.

398. Could you do railway tickets?—Yes. I think so.

399. You know Waterlow's went to a lot of expense for special machinery?—It could be imported.

400. *Mr. Fremantle.*] There is no reason why the College work should not be done here?—I think it could be done here.

401. You don't think there is any danger of leakage?—No, I don't think so.

402. What is the current rate of wages?—£3 6s.

403. Would it involve additional expenditure to have the printing done here than to send it to England?—Yes, there would be additional cost.

404. Could you say how much?—No, not unless I knew the class of work.

405. Would it be additional expenditure after the customs was taken off?—No, I don't think so.

406. So, as Government does not pay customs dues, it follows that the only saving is due to the fact that Government does not pay those duties?—Yes.

407. *Chairman.*] You think it should be done in the Colony?—Yes.

408. *Mr. Alexander.*] All printing for the banks, cheque books, &c., is all done outside the Colony?—No, in the last few years they have had it done locally.

409. Much?—Yes, a good deal.

410. And for the big breweries?—Yes, I may say that the standard of work in this country is quite as good as anywhere else, and the men as capable.

Mr. G. H. Parkhouse.  
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July 23, 1908. 411. Do you think if there was any duty put on work coming out it would have any effect?—Yes. I do think so.

412. Do you recommend it?—Yes, I do.

413. To make it worth while to have it done here?—Yes.

414. *Mr. Powell.*] Is it not a fact that contracts to be valid ought to be ratified here?—No. they are supposed to be, but they don't carry it into effect.

*Monday, 27th July, 1908.*

PRESENT :

Mr. CRONWRIGHT SCHREINER (Chairman).

Mr. Alexander.

Mr. Fremantle.

Mr. Greer.

Mr. Powell.

Mr. J. Searle.

Mr. C. Searle.

Mr. Theron.

Mr. Long.

*Mr. John Zeal Drake, examined.*

Mr. J. Z. Drake.  
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July 27, 1908. 415. *Chairman.*] You are a Town Councillor of Cape Town, I think?—Yes.

416. Your profession is that of building contractor?—Yes.

417. I understand that the work you undertake is of a somewhat extensive nature—big contracts?—Yes.

418. Do you know the object of this Committee?—Nothing beyond the notice.

419. We are to inquire into the advisability, or otherwise, of prohibiting imported contract labour, and secondly, the advisability, or otherwise, of a fair wage clause in Government contracts. We will deal first with the imported contract labour. Are you in favour of prohibiting the importation of contract labour, and, if so, on what terms?—I think, perhaps, in speaking this morning, I might as well speak for the Builders' Association, because



the question came up before us at our congress in April, of which a full *verbatim* report was taken. There we unanimously adopted a resolution against contract labour, unless, owing to the conditions of the labour market, there was so much work that they could not get sufficient labour; in that case we had no objection to the importation of labour, provided it was not under the standard wage mutually agreed upon between employers and employees.

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420. You would prohibit the importation if the labour is obtainable in the country?—Yes.

421. Otherwise you would not?—No.

422. Why do you advocate the prohibition if it is obtainable here?—On several grounds. The first ground we took up, as employers, was that every man has the right to live, and we recognize it is a moral responsibility in a country like this where living is no doubt dearer than in any other part of the world. We say that to employ men at a wage which means starvation is inflicting hardship on the wives and children, if not the men themselves. Then we also said that once we offer a reduced wage to a competent tradesman we lower the status of that tradesman. We get a less amount of work out of him and a worse class of work. Then again, of course, there was a certain amount of selfishness in the question. Some 600 of us—that is, master builders—have bound ourselves together that we will pay a standard rate of wage, of 14s. a day really. Then we all tender on the same basis. It is fair tendering. We know that the work which is done is, or should be, good work.

423. That applies to men who are thoroughly competent at their work?—Yes.

424. How do you ascertain as to their competency?—When a man has been in a shop or on a building for two or three hours you can tell whether he is competent.

425. Are you in touch with the Trades Council?—Yes. That agreement is made between them



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and ourselves and duly signed, and in case of any dispute we have an arbitration board, at which the matter is settled.

426. Of what people does it consist?—It consists of four men from the Trades Council and four men from the Builders' and Contractors' Association. They elect their own chairman, and all matters go to the vote. We have sat three times, and in each case the dispute has been amicably settled.

427. And everybody abides by it?—Everybody has abided by it.

428. With regard to the labour which is not competent labour, such as hod-carriers and so on?—That is unskilled work. We have no recognised standard for the unskilled labour, unfortunately. It is one of those very difficult questions in this country. For instance, there is the Kafir, there is the coloured man and there is the white man—three classes of people who all do the same class of work. It has been the rule in Cape Town to pay a white labourer about 6s. a day, coloured 4s. 6d. and a Kafir anything from a guinea a week. That is for absolutely unskilled labour. Of course in the boom times we paid as much as 5s a day for Kafirs.

429. You are not in a position now to deal with unskilled labour?—No. We are doing our best to get a standard wage for unskilled labour inserted in all contracts.

430. Is there more or less of an understanding amongst builders as to the rates for unskilled labour?—Very often the employers, through their architects, put these conditions in without referring to us, and we find them there.

431. Do you know of any contract labour imported here under the standard wage which has inflicted suffering on the people?—Never in the building trade.

432. Do you know anything of the labour imported by Sir John Jackson?—I know there has been such labour brought into the country here, at

greatly reduced rates, of course; and once or twice we have approached Sir John Jackson, Ltd., to come into our association, but without any success.

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433. The Sir John Jackson contract is an Imperial one, I understand?—Exactly.

434. Do they confine their imported labour to men of the British race?—I do not think so.

435. Do you think their importing men under the standard wage when labour is obtainable here inflicts suffering on the people?—There is absolutely no doubt about it.

436. Do you think there is any truth in the statement that the people coming out under that wage do not know the rate of living here?—I think so.

437. Do you think what Sir John Jackson, Ltd., is doing is fair to this Colony from the Imperial standpoint?—I am speaking without any absolute knowledge of what Sir John Jackson has done. I have simply been there once or twice and used my eyes.

438. You know they have imported labour when it is obtainable here and at lower rates than the standard wages?—Yes, or at least I have heard it stated so and seen it written.

439. *Mr. C. Searle.*] You represent the Master Builders' Association?—Yes.

440. You recognize there is a difference between the building trade, which must be done here, and other contracts which may be entered into where competent men come from abroad. Take the printing trade: printing can be done in England and sent out here. The building could not be done in England?—The building could be done in England. I think I can give certain instances where whole buildings have been imported into this country in parts. Take the largest building in this town—the New York Mutual Life. The terra cotta was imported into this country in huge blocks, the ironwork, the doors, the skirtings, the architraves, the hatrails, all were imported into this country. There is nothing in the building

Mr. J. Z. Drake. — which was not imported made, and it had just to be stuck up: and in many instances they imported the men to stick it up.  
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441. You see the difference in the case of printing and manufacturing work which has to be done in this country as against competition from other countries. The erection of buildings must be done here?—A certain part must be.

442. You know with regard to printing and other similar work, owing to lower wages being paid in other countries, the competition is very keen, and prices have to be cut very low here to compete with the people abroad?—But at the same time, while admitting that the competition is keen, I understand that some of the very best printing work that used to be turned out by the firms abroad is now turned out by the firms here, and done in an excellent way, a way which gives every credit to the local people.

443. Supposing we say a manufacturer has to compete with goods imported from abroad. Do you think he should be prohibited from getting cheaper labour if it is not possible for him to compete with the prices fixed here?—Do you mean the manufacturer here.

444. Yes?—I certainly think the manufacturer here ought not to be allowed to import contract labour at a figure which prevents the man living decently.

445. That may be, but still the price which he has to pay here may be so high, owing to the scarcity of the labour required, that in order to be able to compete he must import labour at a cheaper rate?—I do not admit that.

446. You think he should be prevented from doing that?—Certainly.

447. *Mr. Long.*] How far does the scope of the Master Builders' Association extend?—It embraces the whole five Colonies.

448. And you have 600 members?—Yes.

449. In your contracts is there any provision for skilled labour which is not competent to earn the

standard wage—old men, for instance?—We deal with that ourselves under the agreement with the Trades Council. We have that provision. For instance, I have men who have been with me for many years and grown old in my employ. I give them something lighter to do, at a very much lower wage of course.

450. That depends on the generosity of the employer?—I would not call it generosity; I would call it a business arrangement.

451. It is under the discretion of the employer?—Yes.

452. *Mr. Powell.*] Mr. Searle spoke of the difficulty of competition. That is met in some trades, is it not, by the protective duties which are levied?—Yes.

453. Which would enable the employer here to pay suitable wages for this country?—Take printing. I am not a printer, but I think I am correct in saying that a few years ago all the better class printing was done out of the country, and to-day a great deal of it is being done here, and at as cheap a rate as it used to be done at by sending the work out of the country. Some time ago, before giving evidence before the Indigency Commission, I asked three firms of printers whether their trade was better or worse than before the increased duty was put on. They said there were more men employed to-day, relatively, than in the boom times, owing to the large amount of work being kept in the country which used to go out. The men were getting better wages all round to-day than then, because the work was being kept in the town, and it was being produced at as cheap a rate to-day with the 25 per cent. duty as it used to be with the 12 per cent. duty. That came from three long-standing firms.

454. If work to any considerable amount is kept in the country, I take it the employer is able to make more advantageous arrangements all round by reason of the volume of work?—Yes; there are many side reasons which tend to make the work cheaper.

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Mr. J. Z. Drake, — July 27, 1908. 455. *Mr. Fremantle.*] Do you think in your trade prevention of imported contract labour would add to the cost of work?—No. I think it will make it cheaper. I think the necessary competition which is brought into the town will eventually prove that work is produced cheaper.

456. You do not think it will affect the standard of work done?—I think the work will be infinitely better. It is the only solution for this country. You have to do it. What are we going to do with our boys if you do not provide the means in the country for us to put them at it?

457. Do you think it is possible to train the boys of the country up?—At the present time not, because there is absolutely no work for them to do.

458. If the imported contract labour were stopped, do you think it would be possible to give the boys in this country the training necessary to do the work that is required?—I do not say stop imported contract labour and you will then reach the acme, but I say this that if you stop contract labour and a few other things to help us, then you have the conditions in the country which will place you in a position of educating your boys in various trades and manufactures.

459. In fact you regard the stoppage of the imported contract labour as part of a general protectionist policy?—Exactly.

460. Without stopping this imported contract labour, it is impossible to carry out a satisfactory protectionist policy?—You leave an open door for the unscrupulous employer.

461. *Mr. Greer.*] What proportion does the membership of your Association bear to the total number of master builders?—In Cape Town we have 133, and I think there are 10 outside.

462. Only 10 outside?—Yes. In East London it includes everybody, in Port Elizabeth everybody.

463. For all practical purposes you cover all master builders?—Yes, and even those who are outside always give their adhesion to anything we



do—in regard to the wages question, for instance —and they always have done.

464. *Mr. Theron.*] Does your evidence affect the outlying districts of the country also?—Of course. I have never lived in the upcountry towns, so I really cannot speak of them with any authority. Would you call Kimberley, Grahamstown, Uitenhage, and those places upcountry, or do you mean simply the smaller dorps?

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465. Yes?—I cannot exactly speak as to them. We have isolated members in various small places like that about the country who fall in with the arrangements that we make.

466. So we must take it this evidence refers simply to large towns?—My experience has been in the large towns.

467. *Chairman.*] How do you ascertain whether the skilled labour you require is available? Do you do it through the means of the Trades and Labour Council?—We have our own journal, which is issued every month. That gives us the state of the labour market every month, both as regards the supply and the demand and also the rates of wages which are paid in the various centres month by month.

468. I understand there is no antagonism between you and the Trades and Labour Council, but you are working together for the mutual good?—Since I have been the president I think I can say we have got on well all the time, which has been for four years.

469. You are president of the Master Builders' Association?—Yes.

470. So you speak officially?—Yes.

471. *Mr. Fremantle.*] Could you tell us, as president of the Master Builders' Association, are most of the men employed by you imported men themselves?—Yes. The majority of men in the building trade to-day—tradesmen, that is—are the imported article.

472. Is there a considerable number in the minority of men who are not imported?—For

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myself, there are very few. I do not think I have more than three who have been in my employ who are natives of the country ; I am speaking of skilled tradesmen.

473. Do you think that is likely to grow ?—It cannot grow unless there is the inducement offered by Parliament for them to grow. We have no facilities in this country for training a boy in the scientific side of his trade. I have got boys in the shop to-day who are there practically doing nothing, owing to there being at present little or nothing to do, but the same thing applies when we are busy. Directly things get slack we have not the opportunity in this country of falling back on stock work like in a country where a reasonable system of protection exists, because if we start making doors or windows, or running skirtings or mouldings, how do we know we shall be able to use those up even within the next twenty contracts we may get, when the material which comes into the country can be put in at such a ridiculously low rate ? The consequence is a boy has no opportunity of learning his trade the same as in England. Then, again, there are no big schools in this country where the boy can attend, in either the evenings or the daytime to learn the scientific part of the trade. I was brought up in Melbourne, for instance. I went to five classes a week there, in connection with the building trade, for 13s. 6d. a quarter, at the Working Men's College.

474. *Chairman.*] A place run by the Government ?—No ; it is a public college, with 3,000 or 4,000 students. They will take you from the A.B.C. right through to the LL.B.

475. *Mr. Fremantle.*] At the present time the building trade is mostly run by imported men, and that is bound to continue with the present system ?—Yes.

476. But if the ideas you advocate were carried out it is possible South Africans might find employment in those trades ?—There is no doubt.

477. Which would be a good thing for the Afri-  
kander nation?—A splendid thing.

478. *Mr. Long.*] Do you know whether the technical training college at Salt River is doing anything?—I heard it said the other day by a responsible gentleman, whose name I would not like to repeat, that they were actually offering a sort of reward to the boys to go to that school.

479. *Mr. J. Searle.*] Do you find any objection on the part of imported men to train young Colonial boys?—I have met with objections in this way, that when I have spoken to men in my shop about not giving due attention to the boys they have said, "Well, if I tell him to-day he will forget all about it to-morrow," and by that they mean not that the boy is dull or unsympathetic, but he has no means in his odd hours of backing up the practical knowledge. If you are going to make a spiral rail or staircase, or something a little out of the ordinary four-legged table variety, the boy has no opportunity of getting the scientific method—that is, setting it out on paper before he makes it. That is really the whole foundation of the trouble here as far as the building trade is connected with the making of workmen.

480. You allow a Colonial boy is equally as intelligent?—Quite, or even a little smarter sometimes.

481. *Chairman.*] Coupled with that there is the uncertainty in his mind that when he does make himself proficient he may be cut out by imported labour. Does that weigh with him?—If he makes himself efficient there is not much trouble of his being cut out, but the trouble is we cannot make him efficient because we have not the means.

482. *Mr. Long.*] You were speaking chiefly about the training of carpenters?—It applies to bricklayers, plumbers, paper-hangers; there is a scientific side to every trade. A brick can be laid so that it will not fall, and on the other hand, an 18 inch wall may be built so as to fall at the first shower of rain. My remarks apply to the whole of the trades.

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Mr. J. Z. Drake. — July 27, 1908. 483. *Chairman.*] In any other of the four Colonies is imported contract labour prohibited under the conditions you suggest?—In the Australian Colonies: they are the only ones I know. I have never lived in the others here.

484. *Mr. C. Searle.*] Your solution would be prohibiting importation while the labour is available here and providing technical training?—Yes.

485. *Chairman.*] Do you understand the matter of the fair wage clause?—Yes.

486. Is it in vogue between yourself and the trades?—Yes. We call it a standard wage.

487. It varies according to the times and the different centres?—It does not vary according to the times. We are paying the same wages here at the present time as we were paying five years ago in the busy times—that is, 14s. a day. Living has not gone down to that extent which would justify us in reducing wages.

488. I mean it is not a hard and fast thing for all centres alike? It may vary between the different centres?—Yes. Each centre makes its own arrangement with the Trades Council.

489. I understand it has been adopted by the Municipal Council here?—No.

490. I mean it has been passed; the Council wishes it?—Yes.

491. You have with you a copy of the conditions of contract in the Public Works Department of the Transvaal, in clause 17 of which a fair wage is arranged for?—Yes, and that was brought into existence by a conference between our Association and the Minister of Public Works in the Transvaal. That is in full vogue throughout the Transvaal. The clause reads as follows: "The Contractor shall pay to the white workmen employed wages at rates not less and observe hours of labour not greater than the standard rates of wages and hours of labour agreed upon between masters and workmen and obtaining in the town where the work is carried out, and further shall employ none but white workmen on skilled labour. Should



the Contractor fail to pay the standard rates of wages above mentioned, it shall be lawful for the Chief Engineer to deduct from any payment due to the Contractor a sum equal to the balance between the wages actually paid and the wages due under this clause, and to pay such sums to the workmen who have not been paid the standard wages. Before the payment of any money to the Contractor, the Chief Engineer may require from him a declaration that the workmen and labourers of every kind employed on the works to which these conditions refer have been paid their wages and claims of every kind in full in money the current coin of the State, and to the latest date at which such wages or claims are due; and the Chief Engineer may withhold the payment of any money that may be due or may become due to the Contractor till such declaration has been made and delivered. If the Contractor shall fail or omit to pay the wages of any workman or labourer employed on the works in the current coin of the State, it shall be lawful but not compulsory for the Chief Engineer, as often as the same shall happen, upon complaint of such failure or omission made by any such workman, and upon satisfactory evidence of such failure to pay the amount mentioned to such workman, to deduct the same amount from any money then due or owing, or thereafter to become due or owing, to the Contractor under this contract; and all wages and claims due to men engaged under Sub-contractors shall be considered, as far as the purposes of this clause are concerned, to have been employed under the direct orders of the Contractor himself, who shall be held responsible by the Chief Engineer for the payment of all their wages and claims; and all such wages and claims shall be included in the above declaration."

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492. That appertains throughout the Transvaal?  
—Yes.

493. Has it worked satisfactorily?—Yes; there has been no trouble.



Mr. J. Z. Drake. 494. You consider that that is quite essential?  
—Absolutely essential.

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496. Harm is not inflicted upon any one connected with it?—No.

497. If a dispute arises with regard to what a fair wage is, how do you settle it?—Are you speaking of the Builders' Association?

498. I am speaking generally, but of course you speak primarily for yourself?—The way we do it is this. For instance, the painters were the last trade to come into the agreement between the Council and ourselves, and we met and discussed what a fair wage would be, and we ultimately came to the decision that it would be, I think, 10s. a day. That suggestion went forward to our association, and it was adopted after one or two conversations or negotiations with the men, and then it was put down into our rules. Another man was appointed from each of the two bodies to act on the Conciliation Board for that particular trade and representing that trade.

499. Supposing during the carrying out of a large Government contract—because now we are speaking solely of Government contracts—a dispute arises as to the efficacy or the sufficiency of the standard wage which is in vogue, and the workmen say it is not enough, whilst the master builders, or whoever it is, say it is sufficient: what do you do?—It could not occur, because they will have to give three or four months' notice. We shall have to give three or four months' notice of any change desired, and an agreement is for so many years. I think the term is up at the end of this year, when we shall have to meet again and decide on a further term as far as Cape Town is concerned.

500. A term during which that standard wage shall apply?—Yes, and during that term neither side can alter it.

501. But you would not say, even under that condition, a strike would be absolutely impossible? —It would be. We have proved it. As I said just now, we have had three meetings of our Conciliation Board on this wages question, when increased wages were demanded in two instances, and in the other case a decrease was demanded by the employers. In the three cases the disputes were settled without any strike; nobody outside knew anything about it.

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502. This tends to do away with strikes and secure permanency of occupation?—There is no doubt of that. The Conciliation Board, in my opinion, is very much better than the Arbitration Board. It is a conciliation board; it is a mutual coming together under good will of the employer and the employee. With the Compulsory Arbitration Bill as they have it in New Zealand, where it is an absolute failure, it is the compelling of two forces by the State to come together. How can you expect good feeling to exist under those circumstances?

503. What do you call a Conciliation Board?—It is a number of men nominated by such associations as ourselves, and by the men in their associations, who are given full powers under a set of rules. I can let you have a copy.

504. Mutually agreed upon?—Previously mutually agreed upon. They have full power under those rules to settle any difference in dispute, and everybody loyally abides by it.

505. In fixing the standard wage what is your idea? What are you aiming at with regard to the workmen?—The idea of a standard wage, or a fair wage, is a charge which is commensurate with the skill and ability and expense incurred by an individual in learning that trade and in carrying it on. Taking a carpenter, he has to serve an apprenticeship of probably seven years if he comes from the Old Country, for which his parents have had to pay a premium. He has to expend anything from £50 to £150 in tools, and they have

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continually to be kept in good order and replenished. That man is certainly deserving of more pay than a painter who only requires two or three brushes and not very much skill and education.

506. The lowest standard wage is a good subsistence wage?—Exactly; a living wage.

507. *Mr. J. Searle.*] Take a large contract like the Simon's Bay one. I understand a lot of foreigners have been imported. Do you know whether they are compelled to return them to their country when their time is up?—I could not say. If they are anything like the men who were brought in to the Paarl by the stone-cutters, they will be turned adrift in the country and the rate-payers will have to provide for their necessities.

508. Would you recommend legislation for that?—If you are contemplating legislation to do away with contract labour, it might become part and parcel of it. It necessarily follows, I think, because if men know they cannot import that labour without paying the expense of its return, they are not likely to incur the risk of the law.

509. *Mr. C. Searle.*] I see by the clause in the Transvaal conditions of contract that the skilled labour must be all white men. Would you apply the same in this country?—No. In this report I have here, it goes on to deal with that. The coloured labour clause which the Transvaal introduced did not receive any hearing here. All the four other Colonies were against the Transvaal, as a matter of fact.

510. You would not apply that to this Colony?—No. If a coloured man is worth the 14s. a day in this country he gets it: we make no condition as to a man's skin. But, on the other hand, it is fair to say the coloured men, as a whole, are not equal to the white men. I think that is only to be expected. Still, there are exceptions, and those exceptions receive the full rate of pay.

511. When you fix the wage at 14s., do you mean the minimum?—That is the standard—the highest.

512. Even with skilled men, one man is very much better than another. Do you vary the wage at all?—No. If a man comes up to the required amount of skill he gets that wage. Otherwise, it would leave a loophole for lots of employers. If a man has skill enough to work in my shop, and I have not enough work, and he goes to another shop where the employer says he is not skilled and will not get the full rate of pay, that man immediately refers to me, and we say he was good enough for us, and that is sufficient.

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513. Two men may be equal as regards skill and one may be a quicker workman?—That is one of the things which level themselves out. In the length of a contract the man who did the most work—provided both were equally skilled—would naturally have the longest job. It works itself out in that direction. It is one of the things you cannot legislate for, even in an association like ours.

514. In answer to Mr. Theron's question about contract labour, you said you are not acquainted with the small towns in the country generally?—No.

515. Would you apply this clause all over the country?—I would.

516. Every contract in the Colony?—Yes. In Grahamstown wages are less than in Cape Town, in Uitenhage they are less, and also in Vryheid in Natal and Potchefstroom and small places like Middelburg, and there is no trouble. It is very simple: each local centre—a town or a village—can settle what is the living wage.

517. In small towns there are lots of small contracts, but there is no organization amongst the masters or the employees. How would you fix the rate of wages then?—I would fix it by a wages board.

518. Do you require those wages boards to be arranged for all over the country?—Yes, and which we adopted at our last congress in March.



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519. *Mr. Theron.*] Who appoints that wages board?—There are many ways. The Government may appoint a small standing commission of three gentlemen. In one particular trade there would be one on the employers' side and one on the employees' side; these two parties would nominate one each. Then they would probably nominate a third, and that would constitute the wages board for that particular trade. There are many ways of doing it. That is one way which is followed in Victoria, where the wages board practically sprung into existence in the first instance.

520. You would argue that, whatever the cost of work in the Government contracts, none but highly skilled men should be employed. Suppose you have a rough job to be done in a country district, where an ordinary man who is not highly skilled—an ordinary carpenter, say—could do the work at a low wage. He should not be able to do that, because the higher quality of work must be employed?—You cannot put up a barn without a certain amount of skill and certain amount of knowledge, and the man who can put up a barn so that it will stand up and not blow down is the man, probably, who could do something better, and why should he be penalised because he is called on for a certain period in his life to do a job which is not so particular as a job which he will probably do in one of the towns? It would be penalising him.

521. Take a Government contract for a rough job in a town, where a highly skilled carpenter would not be required. The unskilled man might make it strongly enough. You would, under this arrangement, throw that man out of employment?—No. Under our conditions with the Trades Council there are scores of men who are not really competent tradesmen—not really skilled first-class men. They all get employment in various forms, but they do not all receive that high rate of wages. The Trades Council will not take into their membership a man who is not fully qualified.



He has to be recommended by a certain number of members of a trade society before he is admitted there, and one of the first things is he must be a competent, skilled tradesman. So you see they do not ask us to apply the standard rate of wage to a man who is absolutely incapable of earning it.

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522. *Mr. Long.*] I was going to ask you whether you accepted the Trades Council membership as a sufficient certificate of a man's skill?—Generally speaking, yes.

523. You said you thought strikes were absolutely impossible under the working agreement as it stands at present in Cape Town, and you gave three instances where strikes have been averted. It is possible strikes might still occur. Suppose the men refused to accept the terms their representatives had agreed upon?—I suppose if you take an extreme case it is possible, although we have provided in these rules, which each has signed, in a proper legal form, for heavy penalties on either side.

524. In the Transvaal conditions they provide for contingencies. In the thirty-second clause they say: "If any dispute or difference shall arise between the parties touching any matters connected with this contract, such dispute or difference shall be referred to the Chief Engineer. . . ." That would be between the contractor and his workmen, I take it. "Should the contractor be unwilling to accept the decision of the Chief Engineer, he shall, within 15 days of such decision, notify the Minister of Public Works through the Chief Engineer of the fact. . . ." I take it that would be a case where the Chief Engineer had decided he must pay a higher rate of wages than he wanted to pay?—Of course all disputes do not necessarily turn on matters of wages. If there were a wages board in existence there could not possibly be a dispute over wages. Unfortunately, the deputation which went to the Premier the other day quoted the wages board as being in existence in New Zealand. It had not been. The

Mr. J. Z. Drake, July 27, 1908. Premier was right in what he said in that respect. But as to the working of the wages board in Victoria and New South Wales he was quite wrong, because in 1896 when the wages board first came into existence I was in the country at the time. There were three formed as a trial experiment, and it was not until 1905 that the thing was sanctioned by a special Act of Parliament, so that any trade now only has to requisition for a wages board for that trade and it is formed. To-day they have 49 in existence in Victoria alone. They have never had a dispute, and if you read the evidence taken before the Commission in 1906, only twelve months after it came into existence, you will see the evidence given by different gentlemen, including Sir Frederick Sargood, one of the largest manufacturers and importing merchants. He said it had had the tendency to increase the morals of the workmen and to increase the standard of the work the workmen had given.

525. What you really recommend is the Victorian system?—Yes, as the only workable system.

526. It is not necessary to have trade unions under that system; you could have other organized bodies of employees?—Yes.

527. *Mr. Powell.*] You mentioned incidentally, I think, that the wages are the same now as in the boom times?—Yes.

528. Is it true that the master builders are able to do this by reason of the greatly increased efficiency of labour? I have had 25 per cent. quoted to me as the increase of efficiency?—There is no doubt there is more work done by a man to-day than five years ago.

529. It is objected to trades unionism that it does not allow for the different grades within the ranks of skilled labour, and the reply of the unionist to that is that the employer shall pay a minimum wage and he may reward skilled labour with as much more in the way of wages as he chooses. Now, in your experience do you know of

many instances of masters paying additional money in order to reward what I might call additional skill or ability?—Yes. I had a man, who was secretary of the Trades Council, to whom I paid 1s. or 2s. a day more than all the other men in my employ, simply because he was an exceedingly capable and able fellow.

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530. *Mr. Alexander.*] The City Council unanimously passed this clause, but were advised by their legal advisers that it would involve an alteration of the Act under which they were constituted, and that amending Bill has not yet passed Parliament?—That is exactly the position.

531. With regard to the matter of the Paarl stonecutters, was not that an instance where a public contract was given to people who introduced this labour at sweated rates of pay and got the contract as against scrupulous contractors?—That was so.

532. I think it was a municipal contract—kerbing, etc.?—I think there were at least a dozen municipal contracts.

533. Which they got by importing sweated labour?—Yes.

534. Was labour available in the country?—Yes.

535. If there had been an imported contract labour clause in existence that would have stopped it?—Yes. You would have a very good argument in that particular case if you obtained from the Postal Authorities the amount of money that was sent out of the district weekly during the years that these conditions obtained at Paarl. I had them, but I would not vouch altogether for their absolute accuracy, although I know there was a very large amount of money sent out of the district of Paarl every week by these men to Italy, Spain, Portugal and these places.

536. Is the Appendix D. in the 1906 report of the Legislative Council the contract?—I think it is, so far as I can tell now by looking at it. I can let you have a copy of the contract and also a copy of the conciliation rules, which are very few and simple.

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537. Is there any difficulty you can see against every trade coming to an agreement like this between master and man?—Absolutely none. We had very great difficulty in getting it amongst the builders in Cape Town. It took us several years to convince some of the old contractors that it was for the benefit of the trade that we should organize and get the men in line and have standard rates of wages and proper hours. It took years to do it, but now I do not think there will be a builder in town who will not recognize the great difference between the class of work done to-day as compared with ten years ago.

538. It is not necessary for trades unions to be formed when the wages boards are fixed, but it would be necessary for the workers to be organized in some way to elect representatives?—Not necessarily. In the shirt and underclothing making industry in Melbourne, where the sweating was mostly done, there was no organization. The Commission simply asked certain prominent men, who had taken part in exposing this to act on the wages board. It is a simple, easy plan.

539. *Mr. Long.*] All you want is a public meeting?—Yes.

540. *Mr. Greer.*] You said you preferred the conciliation to the wages board?—To an arbitration board.

541. Supposing the conciliation board could not arrive at any agreement?—Then the arbitration board could not come in, and it would not. If you have such a feeling on a conciliation board as will prevent a settlement, then the thing is referred to an umpire, who is mutually agreed upon before the discussion takes place; so if we fail it is referred to him and he settles it. We had a dispute a little while ago with the carpenters. We failed to come to an agreement. Mr. Olive, the late City Engineer, had been selected as arbitrator beforehand. We failed to agree and referred the whole thing to him, passing the papers and everything over to him, and he gave the award against



the employers and for the men. We paid the costs of the arbitration. There are costs, of course, even in connection with the conciliation board. They are 50 per cent. less than they would be with an arbitration board. There was no ill-feeling, and we went on, and I have never heard it mentioned since.

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542. Practically, in the conciliation board you have a provision for an arbitration court as a court of ultimate resort?—Yes.

543. *Mr. Long.*] Supposing the decision had been against the men, do you think it would have been accepted as well?—I think so.

544. *Chairman.*] Some of our country friends, who are not as intimately acquainted with labour problems as people living in the towns, appear to be afraid that a wages clause would act injuriously against the farmers, and in little towns. Do you see any danger of that?—No.

545. It would not really touch the farmers?—I do not think so. The standard wage in any district would be the wage that would be asked to be made compulsory by all people. It would simply mean the man next door to you would not be able to rob you of your best men by offering them 3d. a day more.

546. Say Mr. Theron's son was a sheep-farmer, and he hired herdsmen at 10s. a month, with food and clothing, and that were the usual wage in vogue, that would be accepted as the standard wage in that district and there would be no trouble?—Yes. That is done in Victoria, where the sheep-shearing is carried out so largely. It is done in a little district called Yae, where I think there are only about twenty houses. There is an agricultural dairy and incubator business, and they have the standard rate of wages.

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*Mr. John Harlow, examined.*

Mr. J. Harlow. 547. *Chairman.*] What is your work?—I am a stone cutter.

July 27, 1908. 548. Are you a member of the Trades and Labour Council?—Yes.

549. Do you hold any office in it?—Not at present.

550. Have you been an official in it?—I have been president and vice-president. I am a member of the executive of the operative masons now.

551. On the question of imported contract labour, you have heard Mr. Drake's evidence?—Yes.

552. Do you agree with him?—Yes.

553. Is there any point of his you would like to qualify or amplify?—No, except that there have been a great many allegations made in reference to the Simon's Town contract—Sir John Jackson's. We have tried on various occasions to obtain reliable evidence. Unfortunately, the managers down there have got to hear it, and have discharged the men immediately. I would suggest to this Committee, if I might, the advisability of bringing Mr. Brookes, the manager of Sir John Jackson, along to give you definite evidence as to the number of men who have been imported. It is alleged there have been between 500 and 600 men imported, when the men were obtainable here. For instance, in regard to stone cutters and masons I have here a certificate, which I will hand in, from the general secretary of the Operative Masons Society, stating that 200 members have left who were on the books in this country since 1902, and a further 50 per cent. who were not members of the Society.

554. You mean Sir John Jackson has been importing while these people have been leaving the country for lack of work?—Yes.

555. Do you know anything about the nationality of the men imported by Sir John Jackson?—I only know it by allegation.

556. It is an Imperial contract?—Yes.

557. The British workmen resent the foreigners being brought in to undercut them?—Yes.

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558. Do you favour prohibiting imported contract labour when labour is not obtainable here?—That would be absolutely absurd.

559. You only prohibit it when it is obtainable?—Yes. Of course I am of opinion that in some cases in Cape Town firms have taken advantage of this imported labour when they might absolutely have trained the local supply.

560. You mean importing the supply prevents the training of the local youths?—Yes. I would like to point out that, in evidence given before the Customs Tariff Commission, by Mr. Mobbs of Port Elizabeth, in regard to the boot and shoe industry. Questions 1900 to 1910, he said they asked no questions as to whether men were available or not before importing; and we naturally consider that is an injustice to this Colony. It gives the local youths no chance of learning the trade.

561. Does the importing of labour, when it is available locally, inflict suffering on the local people?—Yes.

562. *Mr. Powell.*] If labour satisfactory to the employer is obtainable locally why does he go to the very great risk and expense of importing it?—Because in the generality of cases he objects to paying the rate of wages obtaining. He brings men in under the current rate so that he may browbeat the men who are here already.

563. I raised this question with another witness. It turns on the word "available." There may be men who, in the opinion of the trades unions, are available for work, but in the opinion of the employer, although they may pass as being qualified in their trade, they may not be satisfactory to him; he may want a smarter or better qualified man. Would you in such a case prohibit him from importing?—Yes, on this ground, that if an employer has been in business for any length of time he should have trained competent employees.

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564. It is somewhat difficult, practically?—It is in the benefit of the general community.

565. The employer may be placed in competition with several other firms with smart men who are running away with work. He may look round and find men who are so-so, but no one he could put into the fight. May not he, under such circumstances, import, say, a very smart lithographer from London?—If an expert is not in the Colony, but he would have to make himself thoroughly conversant with the conditions and also that the man was not available prior to his being imported.

566. It turns on the word “available”?—The last Government of course have passed a clause to that effect—all available labour—in the immigration laws.

567. I am not against the principle, but I do wish to guard against certain circumstances which, from my own experience in business, I know do arise?—You see the word “available” does not apply there. If the labour is not available in the Colony it will naturally be an expert he requires.

568. Would you say that a man who is rather smarter than the men here would be an expert?—Yes, if he is an expert in that particular line, for instance in lithography.

569. I just instance that trade as I am familiar with it?—If you could not get a thoroughly competent lithographer here and found he was not here or not competent, you would be justified in importing a man.

570. That turns now on the word “competent” instead of the word “available.” I say there may be a number of men about who are so-so, but the employer may want one or two really smart men who, in his judgment, are not obtainable locally. Under those circumstances, would you prohibit him from getting a man with very good testimonials from England, say?—Most decidedly not, if it is to the benefit of the industry and it is not placing anyone there to inconvenience, but cases



have been brought to my notice of men who have been imported—single men at lower wages—and others resident in Cape Colony with wives and families, have been thrown out of employment.

571. *Mr. J. Searle.*] Assuming the Law Courts are going to be built, and tenders are called for, and a large firm at home gets the contract, they could send out their own clerk of works?—No: the clerk of works would be appointed by the architect.

572. But would not he naturally take some one who had been working under him at the other side, who he would want to bring out?—Not necessarily. If he wanted someone who was thoroughly competent to supervise the work in South Africa he would want one thoroughly familiar with the conditions and materials here.

573. A large firm, I suppose, would bring out a lot of the fittings already fitted on the other side?—I do not think they should be allowed to.

574. It seems that a lot of the wood fittings for these Houses of Parliament, which were built by a Home contractor, would come out already made?—Not necessarily.

575. The architect would be in touch with heads of firms at Home, and he would suggest having half-a-dozen men who he had been acquainted with there. You would stop that?—Yes.

576. With regard to the Law Courts?—That is being done locally and the architects are resident here. I would stop any work being brought out completed that is possible to be done here. I might state I was brought out under contract myself for the Post Office.

577. That was a local thing?—Yes, but I was imported under a contract labour clause, and my experience of that was not pleasing. For instance, at that time the Government used to advance a certain amount of the passage money. The whole of that passage money was deducted from the men after arriving here. The contractors only paid £5. They deducted £10 from the men, which, in the

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majority of cases, was not refunded; it was not refunded in my case.

578. *Mr. Alexander.*] The operation of the imported contract labour clause would be in favour of giving a preference to the local contractors for these works?—Yes.

579. And you are in favour of keeping the works in the Colony, and not allowing the same advantage to the English contractor in competing for such work as the Law Courts?—Yes.

580. Is a local firm quite able to carry out such a contract with the men here?—Oh, yes.

581. *Chairman.*] *A propos* of what Mr. Powell said, if this became law the onus of proving the labour was not available would rest on the man importing it, otherwise he would infringe the law?—Yes.

582. You heard Mr. Drake's evidence on the fair wage clause?—Yes.

583. Do you endorse what he said?—Absolutely.

584. You have nothing to add?—I find the conciliation board formed here locally has worked admirably. I was one of the workmen on that board; in fact I am still a member, with Mr. Drake and others.

585. It gives universal satisfaction right round?—Universal satisfaction.

586. Have you anything to add?—No, only that I should like to see the fair wage clause carried further than Government contracts.

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*Thursday, 30th July, 1908.*

PRESENT :

Mr. CRONWRIGHT SCHREINER (Chairman).

Mr. Alexander.

Mr. Greer.

Mr. Pohl.

Mr. Powell.

Mr. J. Searle.

Mr. C. Searle.

Mr. Theron.

Mr. Long.

*Mr. Godfrey Bolsover Mitchell, examined.*

587. *Acting Chairman.*] You are manager of the Argus Company in Cape Town?—Yes.

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588. We are dealing with two subjects—Imported Contract Labour and the Fair Wage Clause. I will take one completely through and then go on the other. I will first ask you some questions arising out of the evidence of Mr. Parkhouse, a working printer. He says that during the last five years the Argus management has been continually importing contract labour; have you anything to say to the Committee as to that?—So far as I can trace it the Argus have imported six men during the time he mentioned. During the whole five years six men were imported. I have not been manager long enough to state as to before that, but taking as far as I can trace there have only been six men imported and some of them were experts, special men, men who could not be obtained in South Africa. For instance, we had a process etcher or producer of process blocks; we had a man specially brought out to erect and work the “Hoe” machine as there was no one here who could do it. in fact the Cape Times had I hear to import a man recently. Another I believe was a lino mechanic and I believe there was also a lino operator. Since I have been there we have imported one compositor and the reason for that was that we thought in him we would find a good foreman but our experience has not been fortunate. I think that pretty well covers all.

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589. Then it is not true, as stated by the witness, that about nine months ago you got out contract men from England when the market here was over-stocked with such labour? Further Mr. Parkhouse says that his friends complained to the Government and they received a letter from the Colonial Secretary who said he had been informed that they came out as experts, is that so or not?—The only case during that time was this man that we brought out, who is a compositor, and the idea was that he was to be foreman of the room as we were unable to get a thoroughly good man in South Africa, that is, one open to employment and we thought this man would suit.

590. Is it true you imported so called experts at a minimum rate of wages?—Well this particular man we imported at the ordinary rate of wages.

591. Then it was further stated that the Argus Co. had taken on two girl compositors at 17/6 per week, wages which are below the trades union rate. Have you any observations to make on that?—We have taken on two girls at 17/6 per week but I don't consider it is under the ordinary rate. I believe there is no rate for girls, it is a matter of what they can produce.

592. Could you tell the Committee why in this case you find it well to engage girl compositors?—Well I find in the case of Messrs. Juta's work the contracts are mainly given to the Rustica Press who employ girls, and in order to compete with him, and others who employ girls, we must employ these girls or get out other machinery, and in preference to getting out more machinery we prefer to give employment to people in the country, whether girls or boys.

593. Now with regard to imported contract labour generally, I take it you would not take the risk and responsibility of importing labour if you could get such labour in this country?—Certainly not; my experience is that importing labour is a real loss to the employer.



594. Do you always find the imported labour answer your expectations?—No. I should say perhaps one man out of three proves satisfactory; the other two are a source of trouble and expense. You pay them more than they are worth.

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595. *Mr. C. Searle.*] Suppose there was a question in connection with importing labour, who do you think should be the best judge as to whether you could get competent men here, the employer or people outside?—Well, I should say the employer, that is, the employer and his foremen, not the employer alone.

596. You have already answered the Chairman with regard to the other question I intended to put to you as to whether you would not prefer local labour, supposing it was available. Naturally, if you could see the man yourself and interview him you would know better if he would suit you than in the case of a man coming from the other side and naturally even at a greater expense, you would prefer to employ the man you could get locally?—Yes, because if he were not satisfactory you could get rid of him; the other man you cannot.

597. And do you know whether contract labour is being imported to the disadvantage of the people in this country?—No. I should say if labour is imported it is because it is not available here. It strikes me that in bad times employers are more inclined to push things than in good times. Now, at the present time, if we could import high-class labour, I don't say we wish to, but if we could import thoroughly high-class labour into the country it would be to the advantage of the country. At the present time there appears to be more work going to Europe than is being produced in South Africa, because we cannot produce equal articles. If we had better trained men in the Colony I think it would be an advantage to the Colony.

598. Do you take apprentices, do you try to get the Colonial youth trained for the trade?—Yes,

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we do; but we give the boys six months' probation first to see if they care for the trade or not, as in my experience it is useless to apprentice a boy unless he likes the trade.

599. You do give encouragement?—Oh, yes, and I find in some cases the Colonial is better than the imported man if he takes to his trade.

600. Do you find any objection on the part of the imported man to assist in training the Colonial youth?—I cannot say that he is anxious to do so, he will train him but he will not always show him what he calls his little secrets of the trade.

601. *Mr. Theron.*] You only know Cape Town?—No. I know Salisbury, Bloemfontein and Cape Town.

602. But you don't know the country districts?—Outside Cape Town? Well, I have lived in this country 20 years, so I know the country fairly well.

603. But the small country places outside where imported labour is not required?—You mean in the printing trade?

604. No, farming?—I know nothing of farming.

605. That being so, your evidence now given is with regard to skilled imported labour where it may be required?—Skilled labour.

606. That in such a case you should have liberty to import a man of that class?—Yes, and I would go further—there are cases in all trades. In Cape Town, now, we have the scum. There are many people here who, even if they have a chance of employment, won't take it. I don't say they are not willing, but they don't keep up with the times. I offer men a chance to learn the linotype, where they can earn £6 a week, and they won't do it. I have men in the office now who have been there 15 years, who have not kept up to date in their trade. They are behind the times, and they will not learn the linotype.\*

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\* The word "scum" was inadvertently used in reference to men who had drifted to Cape Town owing to faults under their own control, and was later withdrawn, not being intended to apply generally to men either out of or in employment.

607. *Mr. Pohl.*] Don't you think it is possible to institute a thorough system of apprenticeship out here to qualify our young men—our boys—to, in course of time, become competent men?—Yes, but to do that you would need to import your teachers—the very thing the Union, I understand, says you must not do. It is only by importing thoroughly skilful men and having machinery to teach them, that you can bring the learners up to anything like perfection. A school might not do it, because you could not afford to put down machinery in a school that would teach the trade thoroughly.

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608. I don't wish to dispute your word, but as a matter of fact we have had some people here belonging to the Union who depose that they are not opposed to imported labour or men when that particular kind of skilled labour which is imported is not obtainable here?—It is a matter of quality in all cases.

609. That is it; they say that, when a particular sort of labour is not available here, they are not averse to its being obtained in Europe?—But who is to decide whether it is available?

610. Is it not possible if a thorough search was made that competent men might be found in the Colony? Is there not a tendency to ignore the labour here?—There is one thing against that, no importer will pay down money for the passage of a man on the off chance of his being a good man if he could possibly avoid it.

611. You know, as a matter of fact, the Cape Times Limited has from time to time imported men?—I believe so. They, I hear, brought one man out to run their "Hoe" machine.

612. We have had evidence from the Cape Times that from time to time they have imported men, how do you reconcile that with your statement now that no employer would think of employing men from Europe if he could get them here?—I say he cannot get his men here; he cannot get his highly skilled men in this country.

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613. Yes, the compositors are available here?—  
Yes, but even then they in all cases are not up-to-date.

614. In looking for that class of labour, what steps do you take?—We generally write to our own offices over the country; we have five of them, and we advertise and also put on our board that we want certain men. I don't think we could do more than that.

615. With regard to high-class labour, when you refer to that kind of labour what do you mean? What is high-class labour?—Well, I suppose there are 20 different departments in our trade. The lithographic artist is a highly skilled man, the linotype mechanic is a highly paid man, and the man running the "Hoe" machine and the man making envelopes. I might mention 20 or 30 branches in the same business; there are so many.

616. As to your artist, could you not find a man out here?—We have our own artist who has been here for years, but if occasion arose requiring us to get one, if our artist left us, I am not certain we should not have to send home for one. I am not certain we should be able to get one here.

617. And with regard to the upcountry towns they find local men to do their work because there is no highly skilled work and therefore it would be foolish to import men for their work?—They would not import men if they could help it. I may say we often send men up country and get others back again.

618. *Mr. Alexander.*] Your evidence is that you do what the imported labour law would ask you to do and that the employer before getting workmen out from England for any purpose should prove that that labour is not available. You would not object to a law being passed that where it was available here an employer should not import labour, but you want to know who should prove that. Would you object to a law being passed that the Labour Bureau should decide.



Would you be willing for the Government Labour Bureau to be appointed to decide on that?—If they are competent.

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619. You know the existing Government Labour Bureau, would you be satisfied if the Government left the Labour Bureau to decide in the case of a dispute between masters and men and for them to settle the matter?—Yes, I should say so; it depends on what evidence they called.

620. Yes, but they would be outside the dispute, so would you object to the Government Labour Bureau having the power to settle disputes?—No.

621. Now, with regard to the compositor you introduced, he was not an expert; he was just a foreman?—Well, he should have been a foreman, and that is an expert in this country. If you want to improve you must get skilled men out.

622. What was his salary when he came out to train the men?—The ordinary rate.

623. So he was not paid an expert rate?—No, he was not to be paid a higher rate until he had proved himself.

624. So that man was paid £3 6s. a week. You pay women 17s. 6d. per week for the same work?—No, not for the same work.

625. Is it piece work?—Yes, but they can earn more than 17s. 6d. a week. We guarantee them 17s 6d.

626. Now I take it you don't wish to throw any reflection upon the workmen of Cape Town when you say they are scum, you mean there may be some but you don't mean the majority are?—Oh, no, decidedly not.

627. Would you not be satisfied if the Trades and Labour Council certified a man as competent?—No.

628. They are not competent?—Are you speaking of the Secretary, Mr. Parkhouse?

629. No, the Trades and Labour Council, consisting of delegates from the various unions?—I take it that the man at the head of a union is always the worst informed workman.

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630. I am not speaking of the man at the head of the union, I am speaking of the Trades and Labour Council?—It is the man at the head who controls.

631. Then you think the Trades and Labour Council is a farce, is that so?—Almost.

632. Supposing it was not so, supposing they were an organised labour party, if it was not under the thumb of the President would not that be a fair judge?—If they were run on the same lines as the English unions I would be perfectly satisfied.

633. Now, about this passage money, is it not a fact that the workmen in the course of time pay back that passage money?—Oh, yes.

634. So there is nothing in what you said, that it does not pay to get a man and pay his passage, there is no loss?—If you import a man at £3 6s. and he is only worth £2 6s. you have to keep him whether he is good or not and it means a loss.

635. In the case of this particular workman who got £3 6s. a week, the same as the other workmen in the Colony, does he repay the passage money?—Yes, it is being paid back.

[At this stage the Chairman entered the room and Mr. Powell vacated the Chair.]

636. *Chairman.*] So as a matter of fact the passage money costs you nothing?—If it is repaid.

637. You take risks if a man dies but if a man stays with you you are repaid?—I think, at least, 25 per cent. is loss.

638. If things continue their normal course you get it back?—The risks are too great, it is not only the actual money.

639. You said that the man at the head of the Trades and Labour Council is always the worst workman, would you like to revise that?—Yes, I would like to revise that. "Generally" is the word I should have used.

640. I think that was rather a hasty expression, if you take the men who have been at the head. For instance, Mr. Maginess, who is now the head of the Council?—But how can he settle printers' disputes?

641. No, but the head of the Trades and Labour Council would not necessarily be a printer?—No. Mr.  
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642. I put it to you the Typographical Union is affiliated to the Council but it would not follow that the head of the Council would be a Typographer?—No. July 30, 1908.

643. Did you ever know of a printer being at the head?—No.

644. So your remark about the head of the Trades and Labour Council being the worst workman always, or generally is as a matter of fact wrong, you have no data?—I was speaking of printing.

645. Then you misunderstood Mr. Alexander?—It was not the word I should have used.

646. You wish to withdraw that remark about the Trades and Labour Council, you have no data?—No I know nothing of it.

647. Are you in need of any special men now that you would like to import?—No.

648. You said further that the union, by which I presume you mean the Trades and Labour Council, says you must not import men?—Yes.

649. Now, the unanimous evidence from all the representatives of that body is opposed to what you say. They say they have not the slightest objection to imported labour being brought in when suitable labour is not obtainable in the Colony. Special expert labour, much like yours, they consider would be conducive to the advantage of the whole trade, so when you made that statement you were under a misapprehension?—My apprehension was that they objected to it.

650. But we have it on the unanimous evidence of all their important members that their attitude is different, so you must have been mistaken? Your apprehension was wrong?—I don't think so.

651. So you consider your apprehension of more value than their united evidence?—Yes, they may agree to importation on general lines, but as a matter of fact they raise trouble on every occasion.

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652. Will you give us an example of such a case?—We imported this man a short time ago.

653. Was there no man could do that work?—At that time there was no man unemployed could do the work.

654. This man was obtaining the ordinary wage?—Yes; he has not been particularly successful.

655. Was he ever getting less than £3 6s.?—No.

656. You mean, if he had proved an expert you would have raised his wage?—Yes, he would have been getting £4 10s.

657. Then perhaps the members of the Trades and Labour Council were right in objecting that he was not the expert you thought him?—They could not know that.

658. You see they are in touch with this movement all over the world, as you are?—Yes.

659. I understand you agree with the principle that if the labour is obtainable here it ought not to be allowed to be imported, provided you have a body like the Labour Bureau, which is unbiassed and would be well able to deliver a fair judgment on the question?—Yes.

660. You said the work of printing goes out of this Colony because the work cannot be done here. is that so?—Yes, the better class work.

661. What kind of work that we are now importing—printing work—cannot be done in this Colony?—Some kinds of lithographic work.

662. Do we import that for the Government?—Yes.

663. But there is no reason why that work should go out of the country because the men could be got in?—Yes.

664. There would be no objection by anybody to that because the men are not here?—Yes the labour is here to some extent but the work is not to be done to such satisfaction.

665. But it could easily be got in?—Yes and by paying a higher price.

666. *Mr. Long.*] There was some question about this organized body of labour with which body have you had to deal?—The Typographical Union.



667. Is it your experience with that body that the head of that body was the worst workman?—  
 My experience was gained in Bloemfontein where we had a strike, and the head of the strike working in our own place was admitted to be the worst employee we had.

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668. That applies to Bloemfontein, what about the Typographical Union here?—Mr. Parkhouse I know and I don't wish to say anything about him.

669. *Chairman.*] He is not the head?—Well he was a short time ago.

670. *Mr. Long.*] Then you see no objection to this body if run on the lines of the English Unions?—No.

671. What do you mean by that?—Well, with the English Unions, if you want to employ another man you send to the secretary and he obtains a man for you and guarantees that man to be a workman. Here we have had experience, and find that they take anyone into the Union whether capable or not, so that they cannot guarantee the man.

672. You say that from your experience?—Yes.

673. *Chairman.*] Is not the statement that they take in anyone, whether capable or not, also a statement you would like to revise?—No.

674. Anyone, whether capable or not; now, on second thoughts, weighing that carefully—it is a wide and sweeping assertion—would you like to limit it?—No; they have no proof as to whether a man is capable.

675. Do you know they have no proof, of your own experience?—Yes.

676. Where did you obtain your knowledge?—I obtained my knowledge up-country, where a man was brought to us who knew little about a machine and was then taken into the Union and became President.

677. Was he competent in any line at all?—No.

678. Things are better here in Cape Town than they were there?—I would not express an opinion

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679. Now the second head of our inquiry is the advisability or otherwise of inserting a fair wage or standard wage clause in Government contracts ; you know what the expression means ?—Yes.

680. Do you think it advisable ?—It is a very wide matter and one cannot tell how far you might push that.

681. Well I may tell you what we have had in evidence from Mr. Drake. Mr. Drake is the President of the Master Builders' Association, which is the largest in the Colony, I think, having 600 members. They have adopted this principle with the Trades and Labour Council and throughout South Africa they have found it work uniformly well. The wage varies with the district, with the locality. It may not be the same here as at Kimberley, or the same here as at Swellendam, but the recognised standard wage of the place is the wage they take. They are contractors and they have found that work well. There are different rates for different grades of workmen, the lowest wage being a living wage, and the rate varies with the capacity of the men employed. You don't object to that ?—No.

682. You recognise the difference in the building trade and the printing trade : whereas the larger portion of the building must be done here, the printing can be done over the sea. You have to consider the question of competition. Do you think that would make a difference in the wages here, say, that the printing here has to compete with printing done over the sea ?—I think it would have a great bearing upon the previous subject upon which I have been questioned—that is, if you make a standard wage right through the country, you must provide men capable of doing the work for that standard wage. If this was arranged all right, then it would be to the advantage of the trade.

683. Do you vary your wages according to the qualifications of the men ?—No, we pay full standard wage ; but there are particular cases where a man is neither a workman nor a labourer.

684. In that case you get rid of him. I suppose?  
—No, we give him less wages than the ordinary man, because he is not doing skilled work.

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685. *Mr. Powell*] In the case of the semi-efficient workman, has the local trades union raised no objection to your paying them at a lower rate?—No.

686. You do Government work in your firm?—Some.

687. If you were obliged to have a fair wage clause in your contracts with the Government, would that, for example, prevent you employing those girls at 17s. 6d. per week?—I take it not.

688. You would say that was standard wage?—Yes, for that particular class of labour.

689. *Mr. Greer*.] I understand you to say that you pay the standard wage; how is that ascertained?—It is published in the *Typographical Journal*, the standard wages, for the whole of South Africa, in the different districts.

690. Is that decided in conference of the Typographical Association with the employers?—No; it is fixed by the association, only it is accepted as the standard wages.

691. So this is a case in which the standard wage is fixed by the employees themselves?—I cannot say it is fixed by the employees themselves. I think it was fixed by the representatives of both sides, so that it was practically a mutual agreement.

692. I take it that is the standard wage for efficient labour?—Efficient labour.

693. Then I suppose you have to deal on the one side with semi-efficient labour and on the other side expert labour? Do you pay less for semi-efficient labour?—The semi-efficient would not fall under that scale at all.

694. Then the rate for semi-efficient labour is fixed between the individual employee and the employer?—That is so.

695. Then for the expert labour is that also a matter between employee and employer?—Yes.

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he is above the scale, and so it is a matter for mutual arrangement.

696. I suppose you would agree that if a standard wage was fixed in Government contracts and made part of the contracts it would have the effect of protecting the honest employer as against the sweating employer?—Yes.

697. *Mr. Alexander.*] You say you have been 20 years in South Africa, how long have you been in your present position?—About 18 months.

698. So that is all your experience in Cape Town. 18 months?—Yes.

699. Would it not be better for the employer if the standard rate was fixed by employers and workmen, there would then always have to be a conference. It would be better than simply accepting what you see in the organ of the Typographical Union?—Yes, from our point of view it would be.

700. From the employers point of view?—Yes, I should say so.

701. And if a standard rate of wages was fixed would it not make it more difficult for an employer to obtain men from oversea?—I cannot say.

702. If he did his work in this country?—Yes, if he did his work in this country.

703. But if the Government insisted upon the work being done here, this standard rate of wages would help against the oversea competition, it would not pay an oversea contractor to come here with his workmen if they gave a substantial benefit to local firms and the oversea man had to come out here?—Not in all cases; the oversea man would come out with more improved machinery than we had here, which would more than counteract the increase of labour.

704. But would you not have an advantage by being established here?—No, I don't think so. I think the improved machinery would more than counteract our advantages by being here. Our ideas in this country may be behind the times.



705. Do you approve of a substantial preference being given to induce work to be done in this country?—Yes, certainly.

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706. What would happen in this case, you say, is that experts who now do the work in Europe would have to come out here?—Yes.

707. Would you be in favour of technical schools being established in this country?—Yes, certainly.

708. You think it would be a good thing if the Government did that? Such schools could teach printing, etc.?—Yes.

709. *Chairman.*] To put it shortly, as I understand it, the standard wage clause in Government contracts would really put a premium upon the best work because practically all would be working at the same rate so the better man would have a chance of going to the front in competition. That is, a man could not undercut and sweat people. It would be a premium on good work?—Yes, presuming he was allowed to import good labour and I think we forget one thing in this country, that a man who has been out here any length of time gets behind in the higher parts of his trade through not having an opportunity of practising his trade in all its branches. Therefore it is necessary to import men now and again to brush up the men in this country.

710. That is interesting, what do you attribute the rusting to?—Well a man out here sees nothing but what he is actually working upon every day.

711. But now if we had all the Government contracts given out here as a regular thing that would tend to keep men up to high water mark?—Yes.

712. Do you know of any sweating being done in the country, now, in the printing trade?—I do not know of any, I hear of cases.

*Mr. Andrew Bernard Reid, examined.*

713. *Chairman.*] You are a building contractor?—Yes, builder and contractor in Cape Town and Johannesburg.

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Mr.  
A. B. Reid.  
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714. You have been president of the Master Builders' Association?—Yes, some years ago.

715. This Committee is inquiring in the first place as to the advisability of prohibiting imported contract labour. Are you in favour of that; if so, on what terms?—Yes, I am in favour of prohibiting imported contract labour, with the exception of experts who might be necessary in connection with the advancement of the various trades.

716. Not being obtainable here?—Yes, as things are.

717. What effect do you think imported contract labour, when it is obtainable here, has upon the workmen and the work done? What is the tendency?—Well, the tendency is disastrous to the people in the country. In the first place because it puts them out of employment, especially if the imported labour is taken in at a lower rate of wages than existed in the district, and then it rather gives a set-back, not only to the individuals who are resident here, and working, but also to the young of the country, who we look to take their places without having to get in imported labour at all; I look upon it as disastrous.

718. Then does it tend to better work or otherwise?—Well, I don't think the work would be improved at all. I don't know that it would be worse, but I don't think it would be an improvement. Of course, personally, I am speaking only from my own practical knowledge.

719. Still, you have had a large experience?—Yes, I have had a very wide experience.

720. *Mr. J. Searle.*] Speaking of the imported labour contract, if tenders were called for by Government and an English firm tendered, how would you keep the contract labour out then?—Well, the position would be this, that if there was a fair wage clause whereby a standard rate of wages was to be paid they would be on an equal footing with those in the Colony.

721. But this is what I mean. Some years ago I entered into a contract with a firm abroad to

supply steel work, and they gave three prices. F.O.B. shipped out here and also for erection, how would we get along in that case? Are capable men to be got here at all times to erect these steel structures?—Yes, there is no difficulty at all; the only thing is we have not got the steel, but we have the labour to erect it.

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722. This was an English firm, Long?—Yes, Dormer, Long & Co. We have erected some of the largest structures ourselves; they supply the steel work at Home ready to erect.

723. Yes, but they give it you in three prices, put on board, shipped and delivered here, or erected?—That might be in your case; but the usual way, in the contracts we have carried out during the last few years, is that the steel work has to be imported, and it is imported at a fixed price, but no men come out to fix the steel work, and have not for some time. There are plenty of competent men here to do it, and there is no need to send men out. That is my experience.

724. *Mr. C. Searle.*] You know of no imported labour in your trade?—No.

725. And, generally speaking, don't you think the employer should be the man to judge whether a man is capable of doing the work in this country?—Oh, decidedly so.

726. So if in his judgment he does not think a man is a competent man he should be allowed to enter into contracts with men over-sea?—Yes, provided it is a *bona fide* case.

727. *Mr. Powell.*] I want to ask you about the word "available," "available labour," might it not be that there was local labour which the Trades Union said was available, but which the employer for good reasons did not consider acceptable? Take a case, a man might be a competent workman and an efficient workman but such a sea lawyer that no employer would like to have him in his gang. Is that not possible?—Oh, yes.

728. So that although in the eyes of the Union he would be capable, he would not be desirable in the master's case?—Yes, that might be.

Mr.  
A. B. Reid.  
July 30, 1908.

729. Then there might also be, it is just possible, men available but not such men as a go ahead man would like to have about his jobs. Would you hold in that case he was justified in importing men?—Yes, quite so.

730. *Mr. Pohl.*] The so-and-so workmen that Mr. Powell refers to, I take it they would not be members of the Union?—Well, of course, they might be, and they might not be.

731. Well, we have had several witnesses here who assure us that no incompetent men are allowed in the Union. These witnesses, who occupy the highest ranks in the Union, say that they satisfy themselves well before they allow a man in as a member?—Yes, I believe that is so.

732. What is your opinion?—Well, I would not like to say that they don't do everything in their power, but I don't myself take it as absolutely definite. I think they have an arrangement that a man must produce some evidence that he is competent, but personally I would not accept it upon the man's own qualifications.

733. So you hold there might be any number of so-so men in the Union?—Well, it is possible there might be some—I would not say any number; in fact, I have not found it so in practice. Of course, you will always find a certain number of wasters in every trade: that is the sum and substance of the case.

734. *Mr. Greer.*] The evidence is that when a man joins the Union he must have sponsors, and they are responsible, and if afterwards the man is found to be a bad workman they are made responsible and not only is the man dismissed from the Union but the proposer and seconder are fined; that evidently contemplated the possibility of the admission of wasters into the Society, but it also provides for their expulsion?—Well I have no knowledge of any action taken by the Union.

735. Would that statement of what they are alleged to do agree with what they actually do? You say you don't find many non competent men, that



belong to the Union?—No not in large numbers. At the present time we take no notice of Union or non-Union men, we take any.

Mr.  
A. B. Reid  
—  
July 30, 1908.

736. So your experience would not help us on that point?—No.

737. Do I understand you to say that importation of labour has practically ceased in your trade?—Yes, it has practically ceased for the last five years.

738. You personally have imported none for the last five years?—No, we did find over five years ago that we had a scarcity with regard to machinists and also special men, because the building trade in the work I am connected with has changed. We have had to undertake work that was never contemplated 12 or 15 years ago. There is quite a revolution in the class of work now being carried out.

739. *Mr. Alexander.*] Your experience has been very wide, you have put up and are putting up some of the largest buildings in town, you are putting up the new Cathedral at the present time?—Yes.

740. What other buildings?—We built Groot Schoor, the residence of the late Cecil Rhodes, and pretty near the largest buildings in Cape Town and the suburbs, the College buildings, Parker's buildings and at the present time we are erecting the new Cathedral in Pretoria.

741. And your experience has been that the utmost cordiality is existing between the builders and their workmen?—Yes, that is so.

742. It has been put that the workmen are inclined to shield wasters, have you ever found that where you have brought wasters to their notice?—No, never.

743. And it has also been put by the last witness that it is necessary to import men in order to brush up the workmen out here, do you consider the standard is as good here as in other parts of the world?—Yes as good as in any part of the world we have workmen equal to any.

Mr.  
A. B. Reid.  
—  
July 30, 1908.

744. *Mr. Long.*] You can imagine that in other trades it may not be the case, because in the printing trade the men might easily get behind while in the building trade they would not?—There might be a difference.

745. Do you think there is any necessity for the prohibition of imported labour at present? Do you think there is any danger of unscrupulous contractors undercutting and importing labour?—Yes, an unscrupulous contractor would do anything.

746. You see if a contractor imported labour at a low price he could undercut and get the contract?—Yes, there is always that danger, but I think it is rather remote at present.

747. You said that the employer should be able to judge of the incompetency of a workman and you thought in some cases, if *bona fide* cases, he would be justified in importing labour, the question to me is, is the employer to be the judge or must he submit to someone else?—No. I should not like to submit to any one, I should like to be the judge myself, still, if a competent opinion was given from outside, one I considered satisfactory, I should be satisfied.

748. And then the question is what is competence? A man might be perfectly competent, but might be one who created discontent, and therefore he should be the man to say whether he would employ such a man or not?—Yes.

749. *Mr. J. Searle.*] Do you have no difficulty in getting Colonial boys as apprentices?—No, we have no difficulty, we have a fair number, but we do not employ so many as we would like, but we have no difficulty in getting them, which is one of the reasons we wish to get as much work as possible done in this country.

750. Could you suggest anything whereby Government could step in to assist? Could legislation be brought to bear to assist Colonial youth in being made apprentices?—Well, there are a good many ways. Take the wood industry,

there it could be done, because we are importing at the present time school furniture, church furniture, all that class of work, which we could do here equally as well, in fact I should say better, and these youth should be employed in doing this work to the advantage of the country.

Mr.  
A. B. Reid.

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751. Yes, but, as a practical man, could you offer any suggestion how the Government could step in?—Well, I think in that particular line of the wood, in joinery, cabinet working a great deal might be done in that matter. The amount of inferior stuff coming in at present is very detrimental and not advantageous at all to the people of the country, who do not have the opportunity of making it, and that is a class of work that gives continuous employment.

752. To check that you can only do it through the customs?—You can only do it through the customs; it comes in free and is dumped down in the country. Of course, I have experience with schools and other public buildings we have put up, and Government should take steps to assist small manufacturers of that class. We could employ a number more of Colonial youths and give them trades as in the old way.

753. Then do you think it advisable to stipulate in Government contracts "Colonial made" where possible?—Oh, undoubtedly. I would not years ago, but I would now, because we have proved beyond a shadow of a doubt that we can make the same material here, and better than the imported.

754. As to the employer being his own judge in his own case, as to importing workmen, a man who was sincere and honourable could be trusted, but we never legislate for them: the law is for the ill-doer, but you would not leave it to the employer always to say that labour should be imported. Would you not have a competent court?—Yes. I should have a competent court.

755. And an honourable man would agree to that?—Yes.

Mr.  
A. B. Reid.  
July 30, 1908.

756. *Mr. C. Searle.*] You find no unwillingness on the part of the men to train apprentices?—No; the men will carry out your wishes if you inform them.

757. *Chairman.*] Is the proposal you have laid down applicable to all trades?—As far as I can see, yes, it should be quite applicable.

758. Now, with regard to the fair wage clause. You understand what it means?—Yes, I gave evidence last year, and it contains practically everything I have to say.

759. Then you would be in favour of the fair wage clause in Government contracts, as beneficial to all concerned?—Yes; we have it in many of our contracts. It is in our contract for the new Cathedral at Pretoria; but there are many others who don't have it, and the unscrupulous contractor does not have it, and it is detrimental to all.

760. The idea of all this legislation, I take it, is to encourage the efficient and honourable employer and at the same time, without injuring him, to raise the status of the men, and you think it has that tendency?—I think so.

761. You cannot conceive that, carried out fairly, it could be injurious?—No, I cannot see it at all. I think it is in the interests of all concerned.

762. *Mr. Pohl.*] On the question of the fair wage clause, cannot you conceive cases in which a great deal of abuse might be practised in the country? Would you care to give any idea about the country districts, how it would work there? because in the country there is no system. Here in Cape Town there is. If you want masons or carpenters you can go to a certain place and get them, but in the country where there are no such places should any Government work be taken in hand there you would either have to import men from Cape Town or take local hands who were not sufficiently competent to have standard wage; they would then insist upon the Government standard wage. Do you see my point?—Yes, I quite see the point and don't think it would be a very serious question unless it was some district.



763. Say at Oudtshoorn where there is no union at all?—Well, there is a rate of wages being paid there which is the standard wage in the district and we pay the rate which is current in the place. Of course it may be a little more than they are accustomed to have. If we sent men from Cape Town we would pay them the rate payable in Cape Town.

Mr.  
A. B. Reid.  
—  
July 30, 1908.

764. You would pay the district rate?—Yes, perhaps no two districts might pay the same I don't think a difficulty. At Johannesburg and Bloemfontein there is no difficulty, these things adjust themselves?—Yes.

765. *Mr. Greer.*] In practice, then, you find that the standard wages in different districts are easily ascertainable?—Yes.

766. And when Cape Town men are sent to a country place you continue to pay them Cape Town wages?—Yes, if we send them there.

767. *Mr. Alexander.*] I believe you were chairman of the Master Builders' Association some years ago, and that you had something to do with the arrangements between the builders and the men about the wages. Will you kindly explain to the Committee what you stated before the Committee appointed by the Cape Town Council. The Town Council directed a good deal of its attention to ascertaining whether coloured labour would be prejudiced by this clause, and they took the evidence of three coloured workmen, and you made it clear in your evidence that the coloured workmen would not be prejudiced?—Yes.

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*Monday, 3rd August, 1908.*

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PRESENT :

Mr. CRONWRIGHT SCHREINER (Chairman).

Mr. Alexander.

Mr. Pohl.

Mr. Powell.

Mr. J. Searle.

Mr. C. Searle.

Mr. Theron.

*Mr. Jacobus Cuypers.* examined.

Mr. J. Cuypers.] 768. *Chairman.*] You are a representative of Messrs. Juta & Co. ?—I am one of the partners.

Aug. 3, 1908.

769. The Committee has called you in consequence of a point, which has arisen in the evidence, with regard to the printing trade. It has been said by some of the witnesses that all Government printing ought to be done here, and that printing can be done here, with the exception of certain special lines, like railway ticket printing, as well as in Europe, and it has further been stated that Messrs. Juta & Co. get a good deal of their printing done in England ?—Yes, quite so.

770. We want to ask you whether you have your printing done in Europe and if you think it could be done here under favourable conditions ?—Well, you see the printing that we have done at home is done evidently better, absolutely better, and cheaper than it is done out here.

771. Cheaper and better than it is done here ?—Yes, that is the only reason that we have it done abroad.

772. What is your style of printing principally ?—Principally books.

773. And that style of printing cannot be done here as well as in Great Britain ?—Yes, it can be done here, but it can be done better and cheaper in Great Britain.

774. Better and cheaper ? — Yes, better and cheaper. I was just now thinking of it and, taking as an instance the Cape Town Directory

now we sell this book at 10s. 6d., that is after paying 25 per cent. for Customs duty. whereas the local estimates that I obtained showed that if produced here I should have to pay 9s. 3d. to 9s. 6d. per book, well there would be no profit in it at that.

Mr.  
J. Cuypers.  
Aug. 3. 1908.

775. That printing could be done here could it not?—Yes it could be done but it would not look so well. I also find a difficulty in the binding.

776. Have you anything you could suggest that would tend to the encouragement of that kind of printing work?—I have lately—because there has been such a cry for doing everything possible by colonial labour—had a lot of work done here and I must say that recently we have found the printing has considerably improved, but then there is the price to consider again.

777. The price?—Yes, there is the extra price to be considered. I am sure it is 25 per cent. more here than the English prices.

778. *Mr. C. Searle.*] I want to ask, do you think with regard to imported contract labour that the printers, let us say, should be allowed to import labour, or rather if there are men available in the country, but in their opinion not suitable, should the employers be allowed to import men?—Certainly, I should say so. Yes, of course I don't know the wages at home.

779. But do you think it would militate against the work done here provided legislation was passed prohibiting the importation of labour?—No, I don't think so.

780. Don't you think it would militate against the work here if the printers here could not import labour? Say that they were having to compete with work done in England?—No, I should not do so the cost of living here is dearer than at home.

781. I don't think you catch my point, the question is whether we should legislate against the importation of labour from oversea?—Oh, I should certainly say don't do that.

Mr. J. Cuypers. 782. You think the employer should be allowed to import labour if in his opinion he cannot get the necessary labour here?—Certainly.  
Aug. 3, 1908.

783. *Mr. Powell.*] Do you get books printed in the Netherlands the same as in England?—There is no need to when we have Dutch books printed in England.

784. But do you get any books printed in England?—No. Well, yes. There is one book which is printed in the Netherlands.

785. Are the conditions in the Netherlands similar to those in England?—No. Holland is still cheaper. There is a society in Holland which I understand is supported by people in this country, and they print things considerably lower than they can be done in England. This religious society is said to print books at below cost price.

786. *Mr. Pohl.*] Then you really think there is rather an improvement in the work done out here lately?—Yes, lately. The Supreme Court Report was printed out here and they got out special type for it and it looks very well indeed and compares very well with that published in England, but there is the question of price again.

787. *Chairman.*] With regard to imported contract labour, I gather from your reply to Mr. Searle that you would let such labour come into the Colony if, in the opinion of the employer, it was not obtainable here?—Yes.

788. Would you make him the final judge?—Yes, I should say so, because he is the best judge.

789. But if you make the employer the final judge, is it not possible that an unscrupulous man might quote a low price and, by importing men, undercut the scrupulous man and obtain the contract? Would you in such a case be prepared to submit any dispute that might arise on the question of labour, to the Government to say if the labour could be imported or not?—Certainly I would.



Mr. —————, examined.

790. *Chairman.*] You are a tailor?—Yes.

791. Just now in whose employ are you?—Just now I am not employed at all. I have worked for Mr. Rosenthal.

792. Do you just do piecework?—Yes, sometimes I do daily work.

793. Daily work?—Yes.

794. Have you been long in the country?—Going on seven years.

795. Have you been all the time in Cape Town?—No, I was in Johannesburg for a few months.

796. But the rest of the time you have been in Cape Town?—Yes.

797. This Committee is making two enquiries—the first as to whether the importation of contract labour should be stopped. Do you understand that part of the subject?—Yes, I understand that, and I think it is time it should be stopped.

798. Would you stop it if it could not be got here?—At present.

799. But if the employer could not get the labour here you would not stop it?—No, not if the employer could not get the labour here.

800. You would stop the importation when the labour could be got here, so that the people in this country could get employment?—Yes, that is so.

801. What is the effect of importing contract labour. How does it affect you?—I am in a position to state that a local firm employed a cutter from England under an agreement for 12 months, and after he came out here it was proved to the firm that this cutter was no good. This got him dismissed from that position, and he was sent downstairs to act as a salesman. The cutter still working there is from this country, showing that the labour is available here.

802. What did they pay the man they imported; what was the contract price?—I am not in a position to say; but I know also of another firm in Loop Street, and they imported contract labour

Mr

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Mr. —  
 Aug. 3, 1908. when they opened, both men and women. Some time ago it was advertised in the papers that they wanted work-people, and I went there, and they offered me £1 15s. per week.

803. What, for a week?—Yes.

804. Are they importing contract labour now?—I am not in a position to say if they are now doing so, but I know that some few months ago they imported women.

805. And what are they paying the women?—I don't know.

806. What are they paying the men?—From 30s. to 35s. per week.

807. What is the highest they pay?—I know one man who is getting £2 10s. a week.

808. Is that man the highest paid man?—I don't know.

809. What do you reckon is a fair wage for a tailor?—Not imported labour?

810. No. A local workman?—I should say £4 4s.

811. And they offer you £1 15s.?—Yes.

812. So you find these people are importing labour under the subsistence wage?—Yes.

813. Is that when it can be got out here, are you quite sure?—I am quite sure of that.

814. And that brings misery on everybody?—Yes.

815. *Mr. J. Searle.*] But £4 4s. a week. Is not that a high wage?—I mean that a qualified man gets that.

816. But I mean an ordinary man, I don't mean a Poole & Bond Street man?—Well men working in the workshop of a Cape Town firm I know are getting £3 10s. per week, only a few weeks ago they gave a man £4 per week. Qualified men there get £4 a week, the others get £3 10s. a week.

817. And is the imported labour paid £3 10s. per week?—This firm does not import at all.

818. And these men at 35s. a week, where do they come from?—I don't know, but I know I was offered 35s. a week.

819. But is not the tailoring trade largely carried on by piecework?—In some workshops. yes.

820. A man that could make four guineas a week by steady work—that is, by day work, what would he make by piecework?—It would all depend what price he got.

821. Yes, of course; but is there no criterion? Take yourself,—if you took piecework, what would you think a good week's wage?—Four guineas.

822. *Mr. C. Searle.*] There is a lot of work sent to England, a lot of orders for suits?—Yes.

823. Don't you think, if a man has to pay four guineas a week for his labour here, that that has a tendency to send more work to England?—No, not at all.

824. What about the wages in England—what is the wages rate there?—In England the rate for qualified men varies: it all depends upon what sort of work is being done; the better the work, the better the wages. The rate runs from £2 10s. to £3.

825. But supposing it was the class of work they do here, what would he earn?—£3 a week.

826. Do you think if a man got £3 a week in England he would come here to work for £4?—No, I don't know that he would come here. I know that many weeks I don't earn 15s. a week.

827. *Mr. Pohl.*] How is most of the Cape Town work done? is it not by piecework?—Yes.

828. *Mr. Alexander.*] What is the largest amount that you personally have earned by piecework in a week?—If I have a full week's work?

829. Yes, never mind what you could earn, but what have you actually earned during the seven years you have been out here? What has been the highest you have earned in a week?—I have earned £4 10s. and sometimes even as much as £5.

830. You do not say that every man should have four guineas a week but that the highest qualified should?—No, only the best qualified men.

831. You would not advocate that all should get that rate but only the most qualified men?—Yes.

Mr.

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Mr.

Aug. 3, 1908.

832. Are you the representative of the tailors on the Trades and Labour Council?—I belong to the Tailors' Society.

833. Are you their representative to give evidence before this Committee?—Yes, that is so.

834. What are tailors actually getting at the present time? Of course for piecework they get so much per garment. You say that at one time you were getting £4 10s. to £5 per week, suppose you were to work a full week at the present time on piecework and were kept fully going from the beginning of the week to the end at the present existing rate of wages?—I have been employed and earned £4 a week on garments. That was on subdivision of labour.

835. Recently?—Yes, nine months ago or ten months.

836. Can men now get that amount?—The pay is small now, the men would have to work 120 hours a week.

837. Is not that due to the customers, owing to their not giving sufficient time for the order to be executed. For instance, a man comes in on Friday and says that he wants a suit by Monday and this causes the men to have to work on. Is not that the principal cause of the sweating, and then at other times they have not enough to do?—Yes, sometimes the men have to work all night.

838. Then if the customers gave more time it would be better for the men?—No, it is the fault of the foreman.

839. *Chairman.*] How is it you have no work now?—I cannot get employment.

840. Cannot you get employment, say at Hepworths?—I have asked for employment there but there is no vacancy for me.

841. I suppose you asked for four guineas a week?—No, there is no vacancy. I would work for less than four guineas, I have a wife and family.

842. *Mr. J. Searle.*] Are you aware what quantity of Government contracts are executed on the



other side?—With reference to Government contracts there is only one kind of garment made here and that is for servants on Robben Island, and is not paid for at a fair wage.

843. Are not the Railway clothes or the Customs made here?—No, they are not made out here.

844. Are you sure they are not made out here?—Yes, the only kind that are made here are from Robben Island.

845. But the Government clothing I suppose could be made here?—Oh yes, in the case of this contract that was taken out here the employer paid first of all at the rate of 10s. or 11s. a garment. Then he made another agreement for supplying garments in khaki unlined, which has more work attached to them, and he reduced the wages to 9s. a garment. This is not a fair wage: the people cannot live on that.

846. You think all Government contracts should be given out here at a fair wage?—Yes.

847. Are there plenty of workpeople here?—Yes, and hundreds have had to leave the Colony.

848. Would it be dearer than going to Europe? What would be the difference to the Government between the cost of the clothes made here and the clothes made there?—I am not in a position to state the exact price, but, roughly, about the same price.

849. Possibly they would cost a little more if made out here?—Perhaps a shilling or so on the garment.

850. But the Government would not agree?—No.

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Mr.

Aug. 3, 1908



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## APPENDIX.

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[A.]

Statement of number of Masons who have left South Africa since 1902.

South African Operative Masons' Society.

P.O. Box 620,  
Cape Town,  
25th July, 1908.

I hereby certify that there have been 200 (Two Hundred) members of the above Society who have left South Africa since 1902.

These are men who have retained their Membership and paid all subscriptions up to the time of leaving. I should estimate that the above figure is only approximately 50% of stone masons who have left during this depression. This estimate is arrived at by personal knowledge of men who have left the country not clear on our books.

W. F. LYON,  
General Secretary.

[B.]

LETTER FORWARDING COPIES OF RULES OF  
CONCILIATION BOARD, MASTER BUILDERS  
ASSOCIATION AND AGREEMENT WITH  
EMPLOYEES.

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The Masters Builders' Association.

Cape Town,  
July 31st, 1908.

The Chairman Select Committee on Imported Contract Labour.

Sir,—Herewith I beg to hand you copies of the Conciliation Board Rules and agreement with the Employees, as directed by the President, Mr. J. Z. Drake, and as promised by him when giving evidence the other day.

I have, etc.,

THOS. BAGNALL,  
Secretary.

### Agreement between the Master Builders, Painters Section, and the Operative Painters of Cape Town and District.

1. That the number of working hours per week be 48 hours in the Summer.
2. The Winter hours to be 45 hours, to correspond with the other trades.
3. That the rate of wages per hour be a minimum of 1s., rising to a maximum of 1s. 3d. per hour, for qualified painters.
4. Specialists to be paid at a higher rate to be arranged by the Employer.
5. The overtime rates to be as follows :
  - From 5 p.m. to 8 p.m., time and a quarter.
  - „ 8 p.m. to midnight, time and a half.
  - „ Midnight to starting time, double time.
6. The limit of the town is to be the town proper with Boundary Road on the Sea Point side, and the Old Toll Gate on the Woodstock side—the Docks and Shipping to be in the town limit.
7. No walking time allowed in this limit.
 

The radius for country shops to be two miles from the shop.
8. That 1s. 6d. per day lodging money be paid for country jobs over and above the day's wage, for every night resident on the job.
9. That when not resident on the job and fares are provided, the men must be on the jobs at starting time when working in the suburbs.
10. Preference to be given to Union men who seek employment, provided the applicant is qualified.
11. This Agreement to be in force for a term of twelve months from the 1st January, 1908, to the 31st December, 1908.
12. Three months' notice to be given on either side to terminate or amend the above rules which must be given on the 30th of September of each year.
13. The above rules to be posted up in all shops in a prominent position, and to be strictly adhered to, the names of all Masters who sign this agreement to appear thereon.

#### *Name.*

1. The name shall be "Cape Town Building Trades Conciliation Board."

#### *Objects.*

2. This Board is established for the following objects, viz. :
  - (a) To promote and further the interests of the Building Trades in Cape Town.
  - (b) To advance mutual understanding between Employers and Employees.
  - (c) To prevent strikes and lock-outs.
  - (d) To settle all and any differences that may arise between Employers and Employees.



*Constitution.*

3. (a) This Board shall consist of a member from each Trade appointed annually by the Building Trade Societies in Cape Town, and a member from each of the same trades appointed annually by the Cape Town Master Builders' Association. Any vacancy shall be filled immediately by the trade so affected.
- (b) That the decision of a majority of the Board shall be accepted as final and binding.

*Management.*

4. (a) At the first meeting of the Board they shall elect a Chairman, but such election shall not increase his voting power.
- (b) At the first meeting of the Board they shall proceed to elect an Umpire other than one of themselves, whose verdict they agree to abide loyally by. He shall only be called upon when the voting on the question is equal, and with his verdict, award costs as he thinks fit.
- (c) In case of resignation or withdrawal of Umpire the Board shall immediately be called upon to appoint a successor.
- (d) Should Board not agree to election of Umpire, the Premier or Chief Justice of the Colony be asked to appoint an Umpire.
- (e) Any expense incurred by Board shall be equally borne by each body.

*Meetings.*

5. Meetings of Board shall be held quarterly or on receipt of notice from either Body at such place as may hereafter be decided upon.





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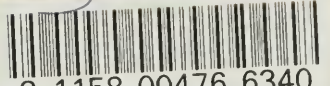
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